

**FREEDOM OF INFORMATION
AND
PRIVACY ACTS**

SUBJECT: CHARLES "PRETTY BOY" FLOYD

KANSAS CITY MASSACRE

FILE: 62-28915

SECTION 77



FEDERAL BUREAU OF INVESTIGATION

NOTICE

THE BEST COPIES OBTAINABLE ARE INCLUDED IN THE REPRODUCTION OF THE FILE. PAGES INCLUDED THAT ARE BLURRED, LIGHT OR OTHERWISE DIFFICULT TO READ ARE THE RESULT OF THE CONDITION AND OR COLOR OF THE ORIGINALS PROVIDED. THESE ARE THE BEST COPIES AVAILABLE.

CHARLES "PRETTY BOY" FLOYD
FRANK NASH
VERNE MILLER
ADAM RICHETTI
KANSAS CITY MASSACRE

SUBJECT _____

FILE NUMBER 62-28915

SECTION NUMBER 77

SERIALS 3376 - 3420

TOTAL PAGES 166

PAGES RELEASED 166

PAGES WITHHELD 0

EXEMPTION(S) USED NONE

Little Rock, Arkansas,
December 24, 1934.

Special Agent in Charge,
Kansas City, Missouri.

Re: VERNON C. MILLER, with aliases,
(Deceased), ET AL.
CONSPIRACY TO DELIVER FEDERAL PRISONER.

Dear Sir:

There is being transmitted, herewith,
the original Log Book of Pilot John Stever, Hot Springs, Ark-
ansas, which was obtained from Mr. Stever by Special Agent M. A.
Taylor on December 22, 1934.

Very truly yours,

E. E. CONROY,
Special Agent in Charge.

MAT:B
62-2
cc Division
cc Chicago

Enclosure

RECORDED
&
INDEXED

JAN 2 - 1935

62-28915-3376
DIVISION OF INVESTIGATION
DEC 26 1934 A.M.
DEPARTMENT OF JUSTICE
ONE
FILE

CLASS OF SERVICE DESIRED	
DOMESTIC	FOREIGN
TELEGRAM	FULL RATE CABLE
DAY LETTER	DEFERRED CABLE
NIGHT MESSAGE	NIGHT CABLE LETTER
NIGHT LETTER	WEEK-END CABLE LETTER
SHIP RADIOGRAM	RADIOGRAM

Patrons should check class of service desired. Otherwise message will be transmitted as a full-rate communication.

Postal Telegraph

THE INTERNATIONAL SYSTEM

Commercial
Cables



All America
Cables

Mackay

Radio

RECEIVER'S NUMBER

CHECK

TIME FILED

STANDARD TIME

Send the following message, subject to the terms on back hereof,

which are hereby agreed to
LITTLE ROCK ARKANSAS
DECEMBER 22 1934

R B NATHAN
DIVISION OF INVESTIGATION
U S DEPARTMENT OF JUSTICE
1616 FEDERAL RESERVE BANK BUILDING
KANSAS CITY MISSOURI

KANSAS LOG JONES STOVER OBTAINED FORWARDING SAME YOUR OFFICE REGISTERED MAIL
STOVER DESIRES RETURN OF LOG AFTER USE TRIAL

CONROY

MAT:em
62-2
cc Division
Chicago

RECORDED & INDEXED

62-28915-3377

JAN 2 - 1935

62-2

DEC 26 1934

ONE

R

Division of Investigation

U. S. Department of Justice
1616 FEDERAL RESERVE BANK BUILDING
KANSAS CITY, MISSOURI
DECEMBER 24, 1934.

Director
Division of Investigation
U. S. Department of Justice
Pennsylvania Avenue at 9th Street, N.W.
Washington, D.C.

Dear Sir:

RE: CHARLES ARTHUR "PRETTY BOY" FLOYD, with
aliases (DECEASED), ET AL
CONSPIRACY TO DELIVER FEDERAL PRISONER

Please be advised that Randall Wilson, Assistant United States Attorney, Kansas City, Missouri, who is assigned to the prosecution of this case, with the assistance of Special Agent W. F. Trainor has prepared a Trial Brief setting out his complete evidence and the order in which he will desire to use the witnesses.

It was determined, through consideration of the evidence, that the fingerprint expert who took the fingerprints of Vernon C. Miller, at the South Dakota State Penitentiary, should be present to identify prints as those of Vernon C. Miller. Appropriate investigation has developed that Arthur Muchow is the individual who took the prints at the South Dakota State Penitentiary and that he is now located in care of the Long Beach, California Police Identification Bureau. A subpoena has been issued and a telegraphic subpoena ticket forwarded by the United States Attorney, Kansas City, Missouri, to the United States Marshal covering Long Beach, California, calling for the presence of Muchow at Kansas City on December 31, 1934.

It is noted that Mr. Muchow signed the original print as having taken same, as reflected by photographic copy of the master print in possession of the Kansas City Office. The master print will apparently be brought to Kansas City by a Division employee who will identify same, and it will apparently not therefore be necessary to have any of the original records from the South Dakota State Penitentiary.

RECORDED

62-2891-3378

Very truly yours,

JAN 1 1935

R. B. NATHAN

SPECIAL AGENT IN CHARGE

WFT:os
cc - Los Angeles
cc - E. J. Connelly, Chicago,

EPC:GN
62-28915-3378

RECORDED

January 5, 1935.

Special Agent in Charge,
Kansas City, Missouri.

Dear Sir:

Reference is made to your letter of December 24, 1934, in connection with the case entitled Charles Arthur "Pretty Boy" Floyd, with aliases (Deceased), et al; Conspiracy to Deliver Federal Prisoner.

The original fingerprint card of Verne C. Miller taken at the South Dakota State Penitentiary will be produced in Kansas City by Mr. J. R. Murphy, Division fingerprint expert, who left Washington on the night of December 27th and who brought with him also all the other original fingerprint records in this case as described in a subpoena duces tecum issued by the District Court of Kansas City.

Very truly yours,

John Edgar Hoover,
Director.

cc - Mr. Connelley, Chicago.

2 copies - c 1

FILED
JAN 8 1935
U. S. DEPT. OF JUSTICE

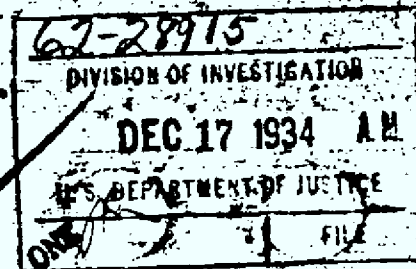
[Handwritten signature]
for 206

1616 Federal Reserve
Bank Building
Kansas City, Missouri

December 13, 1934

Mr. E. J. Connelley
Division of Investigation
U. S. Department of Justice
Post Office Box 829
Chicago, Illinois

Dear Sir:



Re: VERNON C. MILLER, with aliases,
(Deceased), ET AL
CONSPIRACY TO DELIVER FEDERAL RESERVE

When this investigation was originally begun, immediately after the massacre on June 17, 1933, various witnesses to the occurrence furnished accounts of the 1933 Missouri license tag numbers on the Chevrolet Sedan used by the assassins. The statements of the witnesses in each instance differed, and none of them were sure that they had the correct license number. However, it was believed that the numerical series consisted of six digits, containing, in some order, numbers 489 or 498, or 428 or 482, as the first three numbers, and numbers 239 or 329 as the second three digits. It will be noted from the report of Special Agent Carter Baum dated at Chicago, Illinois, July 9, 1933, that the Kansas City Office furnished telephonically to the Chicago Office a series of numbers thought to be 428-239, 428-282, or 482-239. Many other combinations of these numbers were assembled and the license tags checked through the Secretary of State, with the result that it was determined that none of the owners of the cars investigated had any probable connection with the massacre, and that the tags in question could not possibly have been the ones used.

Reference in this connection is made to the report of Special Agent in Charge R. E. Vetterli, dated at Kansas City, Missouri, June 28, 1933, which shows that two witnesses in particular, Mrs. Nellie Stites and Charles H. Moore, who were observers at the Union Station, furnished license numbers similar to the above.

Recently when Vivian Mathias made a written confession confidentially to the Agents in the Chicago Office, she asserted that she had registered the car which was used by Vernon C. Miller, Charles Arthur Floyd, and Adon Richetti, and that the car was a Chevrolet Sedan. She

December 15, 1934

mentioned that she registered it under the alias Vivian Page, and furnished in her registration the address of the moving and storage business of June Kathrens, at Kansas City, Missouri.

A review of the file indicates, in a memorandum by Special Agent R. A. Knittle, dated November 3, 1933, at Chicago, Illinois, that there is listed, among other automobiles purchased from Joe Bergl at Chicago, an automobile sold to Vivian Page, an alias of Vivian Mathias, which was a 1933 model Chevrolet Sedan, motor number 3506199. This car was purchased during March, 1933, and was the last car of that description apparently sold by Bergl to Vivian Mathias. Telegraphic inquiry through the office of the Secretary of State at Jefferson City, Missouri, revealed on December 12 that 1933 Missouri license tag number 482-329 were issued to Vivian Page, at 3834 Main Street, Kansas City, Missouri, on June 15, 1933, for 1933 Chevrolet Sedan, motor number 3506199, for which she received title number 3756907. It was also learned that no transfer of title has been shown of record for this car in the office of the Secretary of State at Jefferson City. It may be stated that prior to this time inquiry was made to determine whether Vernon C. Miller or Vivian Mathias, under their names or aliases, including Vivian Page, had registered any cars in Missouri for 1933, but the information was not in that manner secured, due to the mode of indexing of the records.

It is evident that the above license tag and Chevrolet automobile were actually those which were used in the massacre. The address 3834 Main Street, Kansas City, Missouri, is that of the Kathrens Transfer Company. This, of course, corroborates that part of the statement of Vivian Mathias. June Kathrens, one of the proprietors of the Kathrens Transfer Company, has on numerous occasions in the past been interviewed, and was one of the early suspects as a contact of the assassins. He will be again interrogated within the near future, and this additional information will be borne in mind.

The file in this case has been reviewed in an effort to determine the names and addresses of any of the witnesses of the massacre who observed the license number of the car used by the assassins, and who furnished same, even in an indefinite manner. However, Mrs. Stites and C. M. Moore are the only two who are found to have been in position to furnish such information. It is believed that the police officers who made immediate inquiry of the bystanders might have been furnished by additional parties with such license numbers, since it is found that many of the parties interviewed later by Agents said that they had written down the license number of the car and handed it to the police, but the police were not in possession of any further information when questioned regarding this in June, 1933.

It is believed desirable that the automobile used in the massacre be now located, in order that facts may be determined as to who has had possession of this car since June 17, 1933. This may give rise

Mr. E. J. Connelley

3

December 13, 1934

to additional prosecutions on charges of harboring, and the facts so developed may also throw additional light on the activities of the participants in these slayings. Accordingly, it is requested that the Chicago Office cause a listing to be placed with the Automobile Protective and Information Bureau at Chicago, Illinois, using the description of the Chevrolet Sedan, motor number 3505199, serial number 19074, model 1AC02, year model 1933. The car is believed to have been of black colored body, and to have been originally registered in the state of Illinois, and purchased on March 21, 1933, by Vivian Page, 609 South Seventh Avenue, Maywood, Illinois, from the partnership of Joseph Antone and Otto Bergl, known as the Bergl Motor Sales, 5346-48 West Cermak Road, Cicero, Illinois.

A letter is being addressed to all offices at this time, requesting that investigation be made in each state through its respective auto registration agency, to determine where this car is now registered. Since there has been no transfer of title from the state of Missouri, it is thought probable that the motor number of the car may have been changed before disposition was made of it after the massacre. However, it appears that the car was probably registered in Illinois originally, and it may have been transferred with the Illinois title, and the Missouri title ignored. A copy of this letter is being directed to the St. Louis Office in order that immediate investigation may be made at Springfield, Illinois, in this connection.

Very truly yours,

R. B. NATHAN
Special Agent in Charge

WFT:bn
62-760

cc - Division
Chicago
St. Louis

CLASS OF SERVICE DESIRED	
DOMESTIC	FOREIGN
TELEGRAM	FULL RATE CABLE
DAY LETTER	DEFERRED CABLE
NIGHT MESSAGE	NIGHT CABLE
NIGHT LETTER	LETTER
SHIP RADIOGRAM	RADIOGRAM

*Users should check class of service desired, otherwise message will be transmitted as a full-rate communication

Postal Telegraph

THE INTERNATIONAL SYSTEM

Commercial
Cables



All America
Cables

Mackay

Radio

RECEIVER'S NUMBER

CHECK

TIME FILED

STANDARD TIME

Send the following message, subject to the terms on back hereof,

which are hereby agreed to

K.C.No. 12-24-34

J E P MUMF
DIVISION OF INVESTIGATION
U S DEPARTMENT OF JUSTICE
617 FEDERAL BUILDING
LOS ANGELES, CALIFORNIA.

KAYO US MARSHAL LOS ANGELES ADVISES USA HERE UNABLE OBTAIN INFORMATION
REGARDING ARTHUR MACHON LONG BEACH POLICE DEPARTMENT STOP CONTACT MARSHAL
AND ASK LOCATION MACHON FOR SERVICE SUBPOENA APPEARANCE HERE DECEMBER
THIRTY FIRST ADVISE

NATHAN

Official Business-Government rate
Chg: Division of Inv., U.S. Dept. of Justice,
1616 Federal Reserve Bank Bldg., K.C.No.

CC-Division

62-1-100

DIVISION OF INVESTIGATION	
DEC 26 1934	
6-76-	
U.S. DEPT. OF JUSTICE	
ONE	

Division of Investigation

U. S. Department of Justice

P. O. Box #1156,
Omaha, Nebraska.

December 24, 1934.

Director,
Division of Investigation,
U. S. Department of Justice,
Washington, D. C.

Dear Sir:

Re: CHARLES ARTHUR "PRETTY BOY" FLOYD,
with aliases (Deceased), et al;
Conspiracy to Deliver Federal Prisoner.

Replying to Director's letter of December 19th,
there are enclosed, herewith, copies of a memorandum prepared by
Special Agent J. R. Calhoun.

Very truly yours,



WERNER HANNI,
Special Agent in Charge.

WH/RLW
Enc. *✓*
62-996
3
23
24

RECORDED & INDEXED

JAN 4 1935

See # 3382 2, 4

62-28915-3379

DEC 27 1934

W
W

Division of Investigation

U. S. Department of Justice

Omaha, Nebr.,
December 22, 1934.

Re: Charles Arthur "Pretty Boy" Floyd, with aliases, deceased,
Conspiracy to Deliver Federal Prisoner.

Memorandum to Special Agent in Charge Werner Hanni:

Reference is made to Division letter dated December 19, 1934, in the above entitled case in which it was requested that this Agent submit a memorandum to show whether Agent returned any weapons from the Kansas City office to the Oklahoma City office immediately after the Union Station Massacre.

This Agent and the son of former Chief of Police Reed of McAlester, Oklahoma, accompanied the body of Officer Reed from Kansas City to McAlester on June 18, 1933, and Agent then returned to the Kansas City office. No weapons of any kind were given to Agent to return to the Oklahoma City office, and this Agent has no knowledge concerning the disposition of the weapons belonging to Special Agent F. J. Lackey or former Chief Reed.

Respectfully submitted,

J. R. Calhoun
J. R. Calhoun,
Special Agent.

JRC

Division of Investigation

U. S. Department of Justice
1616 FEDERAL RESERVE BANK BUILDING
KANSAS CITY, MISSOURI
DECEMBER 24, 1934.

Director
Division of Investigation
U. S. Department of Justice
Pennsylvania Avenue at 9th Street, N.W.
Washington, D.C.

Dear Sir:

RE: CHARLES ARTHUR "PRETTY BOY" FLOYD, with
aliases (Deceased), ET AL
CONSPIRACY TO DELIVER FEDERAL PRISONER

Reference is made to a memorandum submitted by Special Agent W. C. Spear, dated September 5, 1933, in the above entitled case, a copy of which has been furnished to the Division, and a similar copy of which is herewith forwarded to Mr. Connelly at Chicago.

It will be noted in that memorandum that a discussion is had of a telephone conversation overheard by Maude Hildreth, niece of E. L. (Doc) Sloan, at the residence of Sloan, who is on a party line with Herbert A. Farmer, said conversation having been overheard on the night of June 16, 1933, and having reference to the plans which resulted in the Kansas City massacre.

RECORDED & INDEXED

162-24915-3380

This information was furnished to the Kansas City Office through former Deputy United States Marshal Charles McDonald, of Joplin, Missouri, who was aware of the identity of the woman who overheard the conversation. Mr. McDonald requested that the matter be held absolutely confidential unless the United States Attorney should find that it would be impossible to dispense with the testimony of the party.

DEC 29 1934

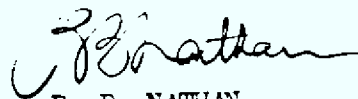
This matter was discussed in a confidential manner with Assistant United States Attorney Randall Wilson, who stated that he will desire the appearance of Miss Hildreth and E. L. Sloan, and that unless he finds their testimony indispensable he will not use them. However, he anticipates that their evidence may be very important. He has therefore issued subpoenas for their appearance at Kansas City, Missouri on December 31, 1934 to testify in the trial of this case. He has also amended his subpoena to the manager of the telephone company at Joplin, Missouri in order that the contract records for telephone number 1541, which is the same party line as that used by Herbert Allen Farmer, may be produced to

2 - Director

establish that the conversation overheard by Miss Hildreth was had on the telephone of the Farmers.

Miss Hildreth will be interviewed by an Agent when she appears at Kansas City.

Very truly yours,



R. B. NATHAN
SPECIAL AGENT IN CHARGE

RFT:os

cc - Mr. E. J. Connelly
Chicago, Illinois

9

December 24, 1934

Special Agent in Charge,
Omaha, Nebraska.

Dear Sir:

With reference to Laboratory Report #2611 in connection with the case entitled Charles Arthur "Pretty Boy" Floyd with aliases (Deceased), et al; Conspiracy to Deliver Federal Prisoner, there is transmitted herewith a photographic copy of the original letter beginning, "Dear Pal I will write a few lines****, of the envelope postmarked "Mounds, Okla., ---8, 1934, 9 PM", and of the envelope addressed to Mr. Geo. Bender.

Very truly yours,

John Edgar Hoover,
Director.

Enclosure #806249

1 copy

FILED SECTION
MAILED
★ DEC 24 1934 ★
F. B. I.
DIVISION OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

RECORDED

62-98915-3381
DEC 26 1934
U. S. DEPARTMENT OF JUSTICE
F. B. I.
R

Division of Investigation

U. S. Department of Justice

1331 First Nat'l. Bank Bldg.,
El Paso, Texas,
December 24, 1934.

RECEIVED
DIVISION OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

RECEIVED

VIA AIRMAIL

Director,
Division of Investigation,
U.S. Department of Justice,
Pennsylvania Ave. at 9th St. N.W.,
Washington, D. C.

Dear Sir:

Re: CHARLES ARTHUR "PRETTY BOY" FLOYD, with
aliases (Deceased) et al. Conspiracy
to Deliver Federal Prisoner. #62-333.

Reference is had to Division letter dated December 19, 1934 addressed to the Omaha office concerning shot guns used by Agent Lackey and ex-chief of police Reed at the time of the Union Station Massacre.

To the best of my recollection, we borrowed either two shot guns or a shot gun and a rifle from the Oklahoma City Police Department and when Agents Frank Smith and Lackey passed through McAlester and picked up Chief of Police Reed he also brought a gun along, but I can not recollect whether it was a shot gun or a rifle. My impression is, however, that it was a 30-30 rifle. I do recall that when these guns were returned to the Oklahoma City office from Kansas City that I personally delivered Reed's gun at the police station in McAlester. I am sure there were two shot guns in the bunch and to the best of my recollection they were sawed-off Winchester pump guns. I have not and did not keep any record of the numbers of these guns.

I have just talked to the Oklahoma City and San Antonio offices by telephone requesting the Oklahoma City office to interview Agent Frank Smith and to also endeavor to ascertain from the Oklahoma City Police Department the description of the guns which they furnished us as I am under the impression that we signed a receipt for the guns at the time they were borrowed.

I requested the San Antonio office to interview Agent Lackey concerning his recollection of the matter and to submit the information to you and to the Kansas City office.

Reference is now had to letters from the Kansas City office to the Division dated December 21, 1934, in each of which it is stated that I should proceed to Kansas City for the trial of this case, which is set for December 31, 1934. I assume that in the absence of contrary instructions I should proceed to Kansas City as indicated.

RECORDED

Very truly yours,

&
INDEXED

12704117 1935

UNRECORDED COPY FILED IN

66-612

See #3379

62-29915-5312

DIVISION OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

2407

Laboratory Report

December 22, 1934

Number:

21-25

Case: Unknown Subjects; Toledo Trust Company,
South Side Branch, Toledo, Ohio - Member of
Federal Reserve System - Bank Robbery

Specimens:

Examination requested by:

Kansas City Division Office

Date received:

December 20, 1934

Examination requested:

Ballistic - Comparison with the known specimens of Floyd
and Richetti

Result of examination:

Examination by: Parsons

The specimens received from the scene of the robbery of the Toledo Trust Company consisted of a shell, a bullet, and a fragment of a bullet, all from a .30 calibre Lager pistol. No bullets or shells of this type nor a similar weapon have been received in connection with the subjects Charles Arthur Floyd and Adam Richetti.

Comparisons had previously been made of the specimens recovered at the scene of the crime with all existing specimens of the same type contained in the Laboratory file and no identification effected.

3-Director
2-Kansas City
1-Detroit
1-Mr. E. J. Connelley - Chicago
2-Laboratory

6 copies c-5

RECORDED

62-28915-3383	
DEC	1934
[Handwritten signatures and initials]	

JOHN EDGAR HOOVER
DIRECTOR

Division of Investigation
U. S. Department of Justice
Washington, D. C.

EAT:CJ

Time - 11:40 A. M.

December 22, 1934.

MEMORANDUM FOR THE DIRECTOR.

Mr. Nathan	✓
Mr. Tolson	✓
Mr. Clegg	
Mr. Baughman	
Chief Clerk	
Mr. Coffey	
Mr. Edwards	
Mr. Egan	
Mr. Harbo	
Mr. Keith	
Mr. Lester	
Mr. Quinn	
Mr. Schilder	
Mr. Tamm	
Mr. Tracy	

I called Mr. Nathan and advised that the Division had received a subpoena duces tecum for one of the fingerprint men to appear at the conspiracy trial on the 29th and bring the original fingerprints of Floyd Richetti, Verne Miller and various other persons; that the Division wanted to arrange with the United States Attorney to avoid getting the Division's original fingerprints and other data tied up in evidence or held as court exhibits; that the expert will, of course, bring the original records and will also bring photostatic copies of all the records; that he should arrange with Mr. Milligan so that the photostats can be left as exhibits for the court. Mr. Nathan stated that he thought this would be agreeable and that he would take the matter up with Mr. Milligan right away.

Mr. Nathan advised that the trial would actually take place on the 31st but that witnesses have been subpoenaed for the purpose of lining things up to appear on the 29th; that he would advise the Division if anything to the contrary happens.

Respectfully,


E. A. Tamm.

DEC 27 1934

RECORDED & INDEXED

COPIES DESTROYED

11 AUG 21 1964

62-28915-3384	
DEC 25 1934 A.M.	
FILE	

WICHITA FALLS, TEXAS

12 - 22 - 34

Mr John Edgar Hoover

Division of Investigation
Dear Sir have just talked
to a Mr E. J. Lound of your
Department and the man
I had in mind of being Herbert
Farmer did not tally with
the description of Farmer for
the man I had in mind drove
a studybaker car and looked
to weigh about 150 and had dark
hair and eyes and looked
to be a B subject. I
have filled his car with gas
twice a day and gave him
5 Gal extra but after the
Kansas City Mass. I never
seen him any more that
led me to believe he was
connected with a Gang of
some kind and was kind of
a footer. I want to get all
car to help stuff on going
not only but my opinion
was rather will do all
this for you

Very truly yours
W. E. Hoover

62-28915-3385

Do not answer

O Kansas City Mass

COPY

Kansas City, Mo.

Sunday Dec. 9, 1934.

Mr. Melvin Purvis,
U. S. Secret Service,
Washington, D. C.

Dear Mr. Purvis:

Some time ago I wrote to you concerning minor crime in this city and how I can help bring about the capture of one or two criminals, one in particular, a habitual criminal who has been arrested several times but who has a clever lawyer and escapes jail sentence repeatedly.

He was affiliated with "Pretty Boy" Floyd. He told me. I have his confidence-he thinks I'm in love with him. We can round up crime in this town from the little man up, if only you'll help me. Alone, I'm powerless, aren't you interested?

You can send your men to find out about me, or better I'll give you references and my real name. If only you show some sign of interest by answering my letter. I receive mail under the name of Lore Sanders, the same as my own name.

I have common sense. I think quickly-I've had to think to protect myself these last two and a half years from evil designing people who have done me a great deal of harm.

My only drawback is that I'm nervous. Otherwise, I can take it. However, when I'm the most nervous I appear calm. I want to be of service. I beg you to consider. No one will ever suspect me. I'll just say I have an offer of a position that pays more money in another city.

I could even work in another city for a while before entering the service to suspend suspicion.

I've done every kind of work-taught school seven years-was married five years-divorced two and one-half years during the last 7 years. I've worked as switchboard operator, saleslady for books, for ladies apparel, for symphony tickets, as demonstrator, dancer, entertainer.

Now I'm at Beck's Dry Goods Store, 11th & Main St., Kansas City, Mo., in Dress Department. My real name is Candis Barnett, 4550 Millcreek, Tel. Va. 1310.

DEC 28 1934
RECORDED & INDEXED

62-28915-3386
DEC 27 1934
ONE new

Confidential Informant

66 2542

COPY

REN:CSH

December 21, 1934

RECORDED

62-28915-3386

Mrs. Candis Barnett,
4550 Millcreek,
Kansas City, Missouri

Dear Madam:

This is to acknowledge receipt of your letter of December 9, 1934, wherein you advise that you can assist in bringing about the apprehension of two criminals, one of whom was associated with "Pretty Boy" Floyd.

Please be advised that I have referred a copy of your letter to Mr. R. B. Nathan, Special Agent in Charge, Division of Investigation, U. S. Department of Justice, 1616 Federal Reserve Bank Building, Kansas City, Missouri, who will assign an Agent to interview you regarding this matter in the near future.

Thanking you for your interest and cooperation,

I am

Very truly yours,

John Edgar Hoover,
Director.

CC Kansas City
(with copies of incoming letter)

1 copy

ORIGINAL FILED IN 66-2542

JOHN EDGAR HOOVER
DIRECTOR

Division of Investigation

U. S. Department of Justice

Washington, D. C.

December 24, 1934

REN:RD

MEMORANDUM FOR THE DIRECTOR .

In connection with the pending prosecutions in the Kansas City Massacre case, please be advised that subject Galatas has asked for a continuance of the trial which has been set for December 31, 1934 at Kansas City, Missouri. It also appears that Mr. and Mrs. Herbert Farmer, Frank B. Mulloy and Louis "Doc" Stacey have entered demurrers to the indictment.

Mr. Connelley has advised the Division of a request received from Vivian Mathis asking that Special Agent S. K. McKee meet her in the St. Paul Hotel, St. Paul, Minnesota on the morning of December 25, 1934. It appears that the gang at Kansas City, Missouri has hired an attorney for her and in view of her promise to enter a plea of guilty to the indictment, she desires to consult with Special Agent McKee as to what her procedure should be.

Agent McKee will keep the appointment requested.

Respectfully,

R. E. Newby
R. E. Newby.

RECORDED & INDEXED

DEC 27 1934

62-28915-3347

JRH:CDW

December 20, 1934

MEMORANDUM FOR MR. TAMM

In regard to your memorandum of December 20, 1934 reporting your conversation with Special Agent in Charge Connelley of the Chicago office relative to the status of the investigation of the Crown Point jail break, it is my desire that Mr. Connelley give this matter his personal attention. This case has been pending now for some time, and while I appreciate that the death of Mr. Hollis has seriously interfered with the progress of the investigation, I do not want it to be unduly delayed.

In order to clarify the situation, I think it should be distinctly understood not only here at the Division but also at Chicago between Mr. Purvis and Mr. Connelley exactly what assignments Mr. Connelley is to have exclusive jurisdiction over. It is my desire that Mr. Connelley will have exclusive jurisdiction over the investigative activities leading to the apprehension of John Paul Chase and any other members of the Dillinger gang. That is to say, all matters pertaining to the Dillinger gang will be handled by Mr. Connelley, and this, naturally, would include the investigation of the Crown Point jail break. In addition, Mr. Connelley is to have supervision and jurisdiction over the investigative activities to bring about the apprehension of the members of the Karpis-Barker gang. Likewise, any angle still pertaining to the Kansas City Massacre are to be handled by Mr. Connelley.

The investigation looking to the apprehension of Robinson, the Stoll kidnaper, will also be assigned to Mr. Connelley. It is to be distinctly understood that at any time when Mr. Connelley needs additional aid or assistance of any character from the regular Chicago Office, all that he will have to do will be to communicate with Mr. Purvis, and Mr. Purvis should be under orders to promptly comply with Mr. Connelley's request. The Chicago Office, that is, the office under the jurisdiction of Mr. Purvis, will handle all other matters arising in the Chicago district, but all of the above mentioned matters, namely, the Dillinger case, the Karpis-Barker case, the Kansas City Massacre case, and the Robinson matter are to be handled by Mr. Connelley.

I would like to have the above instructions set forth clearly in a letter to Mr. Purvis, and one to Mr. Connelley and have them indicate by immediate response whether they clearly understand the arrangement that has been set up in order that there can be no misunderstanding in the future. It is my hope to be able to have Mr. Connelley at Washington shortly so as to personally confer with him. In the interim, however, I would like to have the matters covered by correspondence.

RECORDED & INDEXED

Very truly yours,

John Edgar Hoover,
Director

ORIGINAL FILED IN

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

FILE NO. 62-785

THIS CASE ORIGINATED AT **Kansas City, Mo.**

REPORT MADE AT: Cincinnati, Ohio,	DATE WHEN MADE: 12-25-34	PERIOD FOR WHICH MADE: 12-20-34	REPORT MADE BY: Chapman Fletcher C.E.
TITLE: CHARLES ARTHUR "PRETTY BOY" FLOYD, with aliases, (Deceased), et al.			CHARACTER OF CASE: CONSPIRACY TO DELIVER FEDERAL PRISONER.

SYNOPSIS OF FACTS:

1934 Chevrolet Sedan Motor 3505199, not registered in Ohio for 1934 and appropriate stop placed with Motor Vehicle Bureau. State of Kentucky has no motor number index but has been notified to watch for registration of this car.

REFERENCE:

Letter from the Kansas City Office dated 12-15-34.

DETAILS:

AT COLUMBUS, OHIO.

Judson Harmon, Bureau of Motor Vehicles, State Highway Department, Columbus, Ohio, after a check of his records advised agent that no record could be found of the registration in Ohio for 1934 of Chevrolet Sedan Motor 3505199.

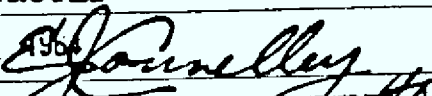
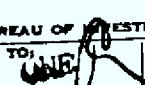
A notation has been made in the files that in the event this automobile is registered for the year 1935 the Cincinnati Division Office is to be notified at once by long distance telephone "collect."

The State of Kentucky does not maintain a motor number index, the only record being kept by license number. It is therefore very difficult for any search to be made through the records of this State. But Mr. Charles Williams, Assistant Tax Collector, Automobile Department, State of Kentucky, has been requested to have his employees endeavor to catch the registration of the instant automobile.

- PENDING -

COPIES DESTROYED

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED:  SPECIAL AGENT IN CHARGE COPIES OF THIS REPORT FURNISHED TO: 3-Division 2-Chicago 2-S.A.C. Connelley, Chicago, 2-Cincinnati	62-28715-3377 UNITED STATES DEC 27 1934 P.M. BUREAU OF INVESTIGATION ROUTED TO:  FILE	RECORDED AND INDEXED: DEC 27 1934 JAN 2 - 1935 JACKETED:
---	---	---

REN:RD
62-28915

December 26, 1934

MEMORANDUM FOR THE ASSISTANT TO THE ATTORNEY GENERAL,
MR. WILLIAM STANLEY.

Attention: Mr. Alexander Holtzoff

Re: VERNON C. MILLER with aliases, Fugitive,
I.O. No. 1195, et al - Obstruction of
Justice (Endeavor to deliver Federal
Prisoner Frank Nash).

This is to confirm the oral request made by Mr. Newby of this Division of Mr. Holtzoff of the Department, for an opinion containing citations of law which would prove that Special Agents of the Division of Investigation were legally acting as Agents of the Attorney General when transporting Escaped Federal Prisoner, Frank Nash, from Hot Springs, Arkansas to the United States Penitentiary at Leavenworth, Kansas on the morning of June 17, 1933. In this connection your attention is directed to my memorandum dated October 23, 1933 with which was transmitted a copy of a letter from Special Agent in Charge E. E. Conroy of the Kansas City Division Office, dated October 13, 1933, wherein a request was made that the name of the appropriate official of the Department at Washington, D. C. be furnished, who can produce memorandum and documentary evidence to prove that the Special Agents were acting as Agents of the Attorney General. The trial of this case is set for December 31, 1934 and the United States Attorney at Kansas City, Missouri has advised that it will not be necessary for an official of the Department to be present at the trial, but that it will be necessary to have duly authenticated copies of documents showing that the Special Agents were acting as representatives of the Attorney General, for presentation in evidence.

There was also attached to my memorandum of October 23, 1933 a copy of the summary report in the above entitled case, setting forth all of the details surrounding the apprehension and transportation of Frank Nash. Another copy of this same report was left with Mr. Holtzoff by Mr. Newby.

COPIES DESTROYED

11 AUG 21 1964

RECORDED & INDEXED

62-28915-3390

27 1934

2 yellows

C-1

Memo for Mr. Stanley

-2-

12-26-34

In view of the fact that the trial of this case is set for December 31, 1934, I will appreciate an early response to the above request.

Very truly yours,

John Edgar Hoover,
Director.

FILES SECTION
MAILED

★ DEC 26 1934

F. B. I.
DIVISION OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

DIV OF INVEST

CGO

12-24-34

DIRECTOR

KANKO

AGENT S K MCKEE DEPARTING CHICAGO TEN THIRTY TONIGHT ARRIVE REGISTER
CURTISS HOTEL MINNEAPOLIS NINE AM PURPOSE CONTACT VIVIAN MATHIAS.
WILL RETURN CHICAGO TRAIN TUESDAY NIGHT.

Mr. Nathan.....
Mr. Tolson.....
Mr. Clegg.....
Mr. Baughman.....
Chief Clerk.....
Mr. Coffey.....
Mr. Edwards.....
Mr. Egan.....
Mr. Harbo.....
Mr. Keith.....
Mr. Lester.....
Mr. Quinn.....
Mr. Schilder.....
Mr. Tamm.....
Mr. Tracy.....

CLE

8985

CONNELLEY

RECORDED & INDEXED

JAN 4 - 1935

CLASS OF SERVICE DESIRED	
DOMESTIC	CABLE
TELEGRAM	FULL RATE
DAY LETTER	DEFERRED
NIGHT MESSAGE	NIGHT LETTER
NIGHT LETTER	SHIP RADIOGRAM

Patrons should check class of service desired; otherwise message will be transmitted as a full-rate communication.

WESTERN UNION

R. S. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

CHECK

ACCT'G INFM.

TIME FILED

Send the following message, subject to the terms on back hereof, which are hereby agreed to

Kansas City, Missouri, December 24, 1934.

Berner Hanni
Division of Investigation
U. S. Department of Justice
629 First National Bank Building
Omaha, Nebraska



FURNISH ANY AVAILABLE INFORMATION REGARDING NINETEEN THIRTY FOUR
PLYMOUTH COUPE NEBRASKA LICENSE NINE DASH FOUR FIVE TWO FOUR RECENTLY
SEEN SEYMOUR MISSOURI POSSIBLY CONNECTED YOUR LETTER DECEMBER TWELFTH
TO DIVISION

NATHAN

REB:os
cc - Division

62-22915-
DIVISION OF INVESTIGATION
DEC 26 1934
U.S. DEPT. OF JUSTICE
RECEIVED

WESTERN UNION GIFT ORDERS ARE APPROPRIATE GIFTS FOR ALL OCCASIONS

CHARGE TO THE ACCOUNT OF

CLASS OF SERVICE DESIRED	
DOMESTIC	FOREIGN
TELEGRAM	FULL RATE CABLE
DAY LETTER	DEFERRED CABLE
NIGHT MESSAGE	NIGHT CABLE LETTER
NIGHT LETTER	WEEK-END CABLE LETTER
SHIP RADIOGRAM	RADIOGRAM

Please check class of service desired, otherwise message will be transmitted as a full-rate communication.

Postal Telegraph

THE INTERNATIONAL SYSTEM

Commercial
Cables



All America
Cables

Mackay

Radio

RECEIVER'S NUMBER

CHECK

TIME FROM

STANDARD TIME

Send the following message, subject to the terms on back hereof, which are hereby agreed to

Form 1

NEW YORK NY DEC 26 1934
LOT: IV 62-4949

R B NATHAN
DIVISION OF INVESTIGATION
U S DEPARTMENT OF JUSTICE
1616 FEDERAL RESERVE BANK BUILDING
KANSAS CITY MISSOURI

KANMO ADVISE BY WIRE WHETHER AGENT TURROU RESENCE NECESSARY KANSAS CITY

DECE BER TWENTYNINTH NINETEEN THIRTYFOUR

cc Division ✓
12:35 PM

FAY

62-27715	
DIVISION OF INVESTIGATION	
DEC 27 1934	
U.S. DEPARTMENT OF JUSTICE	
ONE	115

Division of Investigation

U. S. Department of Justice

POST OFFICE BOX 829
CHICAGO, ILLINOIS

December 26, 1934.

Director,
Division of Investigation
U.S. Department of Justice,
Washington, D.C.

RE: CHARLES ARTHUR FLOYD (Deceased)
et al - CONSPIRACY TO DELIVER FEDERAL
PRISONER.

Dear Sir:

RECORDED & INDEXED

62-2111-3392

This is to advise that VIVIAN MATHIS was interviewed by Special Agent S. K. McKee at the Hotel Curtis, Minneapolis, Minnesota, at noon on December 25, 1934, the interview taking place at the request of the Mathis woman, as you have been advised. The meeting between this woman and Agent McKee was covered by Special Agents J. E. Brennan, O. G. Hall and F. T. Fortenberry of the St. Paul office.

JAN 2 - 1935

Vivian Mathis stated that following her release on bond at Kansas City, Missouri, she spent several days at the Muehlbach Hotel in that place as the guest of Richard T. Galatas and his wife. During this period Mrs. E. B. Connors of Hot Springs, Arkansas was also at the hotel. Vivian's bond had been furnished by Louis "Doc" Stacey of Chicago and she stated that she had to accept his offer to furnish the bond in order to keep up appearances. While in Kansas City, Missouri Vivian Mathis was told by Mrs. Connors that she had been playing golf at Hot Springs during the time the telephone calls were made from her house. She did not name the party or parties who made the calls, however. Galatas advised that he and his wife had been in custody at the Chicago Division office for a considerable period of time and that he had furnished a signed statement to Division Agents. He said he intended to fight this case both for himself and his wife, and in this connection, stated his defense would be based on the contention that no conspiracy existed. Galatas paid Vivian's traveling expenses to Chicago, Illinois where she was taken to an attorney by the name of Halaban. This attorney questioned her concerning her knowledge of this case and she talked freely with him. She denied to him however, that she had furnished this office a signed statement. She advised him that she had not told the Government anything.

Vivian Mathis returned to her home in Brainerd, Minnesota from Chicago, Illinois and late in November received a message from "Doc" Stacey to meet him in Chicago, Illinois. He paid her traveling expenses. During this visit Vivian stayed with Bobbie Moore. She was told by Bobbie that Sammy Schrager is dead, this data having been obtained by Bobbie's boy friend, who heard the death announced at the Masonic Lodge, to which Schrager belonged. She said the lodge in question is the same one to which another Sam Schrager, who is night clerk at the Hotel Donmoore, belongs.

COPIES DESTROYED

11 AUG 21 1964

Vivian Mathis stated that Stacey took her to see attorney Balaban again and told her that he would represent her in Kansas City during the instant trial. He told her at this time that he had been brought to the Chicago Division office for questioning in October, but said he had not furnished any statement. He emphasized the fact that all of the persons under indictment in this matter had to stick together. Vivian also said that Stacey had asked her to visit the Club Spanish, and that she had done so in company with Bobbie Moore. She said that she saw nobody there whom she knew and declined Stacey's invitation to return as she felt uneasy about going there.

Vivian was questioned for data as to the location of Harry and Gladys Sawyer and she stated that the only thing she had heard about them was that they are "on the lam".

Vivian stated further that she is being advised in this matter by Bob Kennedy of Aberdeen, South Dakota. Kennedy is close to her and was a former partner of Verne Miller in the alcohol business in St. Paul, Minnesota. She said Kennedy has been urging her to plead guilty in order to take care of herself as well as possible. According to her, Kennedy hates the outfit with which Verne Miller was connected. Kennedy is supposed to be legitimate now.

Miss Mathis said her reason for wanting to talk with Agent McKee was to obtain his advice as to the right thing to do when her case comes up in Kansas City. She said she wanted to plead guilty, but felt that by doing so she might create the impression in the minds of the other defendants that she had talked. She stated she felt the best thing to do would be to jump her bond and then turn herself in after the trial was over and plead guilty.

Agent McKee convinced her that she should present herself in court at the set time and change her not guilty plea to a plea of guilty. She promised to follow this procedure.

She departed from Minneapolis on the afternoon of December 25, 1934, for Aberdeen, S.D. where she is to meet Bob Kennedy. Kennedy is going to Kansas City with her. He has promised her a job after she has cleared up her present involvement. Vivian stated that she is going to contact Fritz Molloy when she reaches Kansas City in order to find out what

-3-

he is going to do. She asked Arant McKee where she could contact him in Kansas City during the trial of this matter, and was told that he would be stopping at the Pickwick Hotel. She said she would telephone him on the morning of December 29, 1934, and advise of the result of her interview with Fritz Kolloy, also of any other information of value she might obtain in the meantime.

Very truly yours,



E. J. CONNELLEY

Special Agent in Charge
(Special Assignment)

SKM:JMS

62-1649

CC Kansas City
CC St. Paul

Division of Investigation

U. S. Department of Justice
1616 FEDERAL RESERVE BANK BUILDING
KANSAS CITY, MISSOURI

December 21, 1934

Special Delivery - Air Mail

Director
Division of Investigation
U. S. Department of Justice
Pennsylvania Avenue at 9th Street, N.W.
Washington, D. C.

Re: VERNON C. MILLER, with aliases,
DECEASED, ET AL
CONSPIRACY TO DELIVER FEDERAL PRISONER

Dear Sir:

Reference is made to a letter dated October 13, 1933 from this Office to the Division and to a letter from the Division to the Kansas City Office dated October 23, 1933, with reference to the identity of the appropriate official in the Department who can produce memorandum or other documentary evidence to prove that Special Agents F. J. Lackey and F. S. Smith were acting as agents of the Attorney General of the United States at the time they had in their custody escaped federal prisoner Frank Nash.

It is noted that a subsequent indictment was returned at Kansas City, Missouri during October, 1934, a copy of which was furnished to the Division.

Henry L. Balaban, attorney for various defendants in this case, has filed a demurrer to the recent indictment in the Federal Court at Kansas City, Missouri. A copy of the demurrer is not now available but will be secured and furnished to the Division. There are some thirteen separate grounds stated in the demurrer among which is the allegation that the indictment does not recite an offense against the laws of the United States.

Assistant United States Attorney Randall Wilson of Kansas City who is assigned to the prosecution of this case, has advised that he does not believe the demurrer will be sustained. He has stated, however, that he anticipates that the defense will contend at the trial that the indictment does not state an offense against the laws of the United States and that they will probably base this contention on an allegation that the agents who held Nash in custody did not do so as authorized agents of the Attorney General.

This case is scheduled for trial to begin in the Federal Court at Kansas City, Missouri on December 31, 1934. The United States Attorney at Kansas City desires that the appropriate official from the Department of Justice at Washington, D. C., who can produce the records mentioned in the letter from the Division to this Office of October 23, 1933, be present on that date with

COPIES DESTROYED

11 AUG 21 1964

RECORDED

JAN 8 1935

Director - #2

documents which that official can produce and identify.

If any continuance or changes in date of trial should occur the Division will be immediately notified by this Office.

It is requested that the Division advise this Office with reference to the above in order that the information may be transmitted to the United States Attorney.

The United States Attorney has advised also that Special Agent in Charge R. H. Colvin of the El Paso Office will be a necessary witness to testify to the instructions which he furnished to the Special Agents who had Nash in custody, to the effect that they should transport him by train to Kansas City. A copy of this letter is also being furnished to Mr. Colvin for his information and he should appear as a witness at Kansas City on December 31, 1934 unless notified to the contrary.

Very truly yours,



R. B. NATHAN
SPECIAL AGENT IN CHARGE

WFT:lg

cc - E. J. Connelley,
Chicago, Ill.
cc - R. H. Colvin,
El Paso, Tex.

62-760

JOHN EDGAR HOOVER
DIRECTOR

Division of Investigation

U. S. Department of Justice

Washington, D. C.

RECORDED
62-28915

December 26, 1934

MEMORANDUM FOR MR. TALEM.

With reference to the airmail, special delivery letters from the Kansas City Office, both being dated December 21, 1934, requesting the name of an official of the Department to appear at the trial of RICHARD TALLMAN GALATAS with aliases, et al at Kansas City, Missouri on December 31, 1934, please be advised that the Division previously requested this information in a memorandum addressed to Mr. Stanley, The Assistant to the Attorney General, under date of October 23, 1933. It appears from a review of the file that the desired information has not been furnished by the Department and, therefore, pursuant to my conversation with you and in view of the limited time between now and the trial date, I endeavored to trace the original memorandum by telephoning to Miss Brookley in the office of Mr. Keenan and Mr. Hugh Fisher in the Criminal Division, but neither had any information concerning the memorandum.

I then called Mr. Boyd in Mr. Stanley's office who recalled the memorandum and referred me to Mr. Walter Gallagher who, after examining his file, found that it had been charged out to Mr. David D. Caldwell on March 28, 1934. I discussed this matter with Mr. Caldwell who stated that he recalled the memorandum, but that he simply desired the information contained in the summary report to be used in connection with the preparation of a claim or Bill in Congress on behalf of Mrs. Otto Reed. He could not locate the report or the original memorandum in his files.

I was then referred to Mr. Alexander Holtzoff by Mr. Gallagher and Mr. Holtzoff stated that he would prepare the memorandum, setting forth the desired information, immediately. I called Mr. Holtzoff's attention to the fact that the trial is set for December 31, 1934 and that the United States Attorney at Kansas City, Missouri is holding a conference in connection with this case on December 29, 1934.

Respectfully,

R. E. Newby

RECORDED & INDEXED

JAN 7 1935

COPIES DESTROYED

DIVISION OF INVESTIGATION
FROM: UNIT #1 & UNIT #3

1934.

TO: Director
Mr. Nathan
Mr. Tolson
Mr. Edwards
Mr. Quinn
Unit Two

Unit Four

Files Section
Personnel Files
Equipment Section
Chief Clerk's Office

Unit Five

Identification Unit
Statistical Section
Technical Laboratory

SUPERVISORS

Unit One

Mr. Listerman
Mr. Lowdon
Mr. Bryan
Mr. Newby
Mr. Richmond
Mr. Thompson

Unit Three

Mr. Joseph
Mr. Fagan
Mr. Smith

Miss Gandy
Mrs. Kelley
Washington Field Office
M
Secretary
Correct
Re-write
Re-date
☒ See me
Send file

*Re letter of
10/23/33*

E. A. TAMM - Room 5107

Division of Investigation

U. S. Department of Justice
1616 FEDERAL RESERVE BANK BUILDING
KANSAS CITY, MISSOURI
DECEMBER 21, 1934.

Mr. Nathan	_____
Mr. Tolson	_____
Mr. Clegg	_____
Mr. Baughman	_____
Chief Clerk	_____
Mr. Coffey	_____
Mr. Edwards	_____
Mr. Egan	_____
Mr. Egan	_____
Mr. Keith	_____
Mr. Lester	_____
Mr. Quinn	_____
Mr. Schilder	_____
Mr. Tamm	_____
Mr. Tracy	_____

AIR MAIL - SPECIAL DELIVERY

Director
Division of Investigation
U. S. Department of Justice
Pennsylvania Avenue at 9th Street, N.W.
Washington, D.C.

Dear Sir:

RE: CHARLES ARTHUR "PRETTY BOY" FLOYD, with
aliases (Deceased) ET AL
CONSPIRACY TO DELIVER FEDERAL PRISONER

Reference is made to my Air Mail letter of this date concerning the desire of the United States Attorney for an official of the Department to appear at the trial of the case in order to produce records showing authority of the Division Agents to have custody of Frank Nash.

A further conversation has been had with the United States Attorney in which he advised that in view of the provisions of Title 28, Section 661, U.S.C.A., as amended June 19, 1934, it will not be necessary for any official of the Department or Division to be present at the trial. However, it will be necessary to have duly authenticated copies of the records for presentation in evidence. It is requested that the Division give this early attention.

It is the desire of the United States Attorney that Special Agent in Charge Colvin, of the El Paso Office, be present at the trial.

Very truly yours,

R. B. Nathan
R. B. NATHAN
SPECIAL AGENT IN CHARGE

REM:os
cc - Mr. Connelley,
Chicago, Illinois
cc - El Paso

RECORDED

JAN 7 1935

DEC 27 1934

66-615

COPY

KAT:TAM

December 24, 1934.

Special Agent in Charge,
Chicago, Illinois.

Dear Sir:

I am transmitting herewith a copy of a letter which I have today addressed to Mr. E. J. Connelley advising him of his assignment to supervise all investigation in the Chicago area in the Dillinger, Bremer, Kansas City Massacre and Stoll Kidnaping cases. You will note particularly that Mr. Connelley is to utilize in so far as it is possible the services of those Special Agents who have already been assigned to him for the carrying on of these investigations, but that in emergency situations he is authorized to call upon you for whatever additional aid and assistance he may require. You are instructed to promptly comply with any requests for aid or assistance which are received from Mr. Connelley.

Please advise the Division by return mail whether these instructions are clearly understood by you.

Very truly yours,

John Edgar Hoover,
Director.

Enclosure #701971

RECORDED & INDEXED

62-28915-9395

ORIGINAL FILED IN

62-27111

R

COPY

December 24, 1934.

✓
Mr. E. J. Connelley,
Division of Investigation,
U. S. Department of Justice,
Post Office Box 829,
Chicago, Illinois.

Dear Sir:

In order that there may be no misunderstanding either in the field or at the Division concerning the persons in charge of various assignments in the Chicago District, the following instructions relative to the supervision of pending cases are set forth for your information and guidance.

The supervision of all ramifications of the Dillinger case, including investigative activity looking to the apprehension of John Paul Chase, will be under your supervision. You will, in addition, have supervision and jurisdiction over the investigative activities looking to the location and apprehension of the kidnapers of Edward G. Bremer, namely, so-called Barker-Karpis gang. The supervision of the Kansas City Massacre case will likewise be assigned to you, as will investigation looking to the apprehension of T. H. Robinson, Jr., subject in the case growing out of the kidnaping of Mrs. Alice Speed Stoll.

In so far as it is possible, you should carry on the investigative activity in the above named cases with the Special Agents who have heretofore been assigned to you. It is to be distinctly understood, however, that at any time when you desire additional aid or assistance of any character, you may call upon the Special Agent in Charge of the Chicago Office and that official will furnish you with whatever additional assistance is required.

The Special Agent in Charge of the Chicago Office will continue to supervise all pending investigations with the exception of those cases set out above.

Please indicate by return letter whether the above instructions are clearly understood by you.

Very truly yours,

John Edgar Hoover,
Director.

1 copy

RECORDED & INDEXED

62-28915-3396

DEC 28 1934

A

ORIGINAL FILED IN

62-28915-3396

JOHN EDGAR HOOVER
DIRECTOR

Division of Investigation

U. S. Department of Justice

Washington, D. C.

December 26, 1934.

EAT:RLM

5:30PM.

MEMORANDUM FOR THE DIRECTOR

During telephonic conversation with Mr. Nathan at Kansas City, Mr. Nathan stated that the U. S. Attorney has information that the Attorney General will be in Kansas City tomorrow in connection with the dedication of a new court house. The U. S. Attorney is contemplating on talking to the Attorney General about the Galatas case while he is there.

I advised that I had no information regarding the Attorney General's presence in Kansas City tomorrow.

Respectfully,

E. A. Tamm.

Mr. Nathan.....
Mr. Tolson.....
Mr. Clegg.....
Mr. Baughman..
Chief Clerk.....
Mr. Coffey.....
Mr. Edwards.....
Mr. Egan.....
Mr. Harbo.....
Mr. Keith.....
Mr. Lester.....
Mr. Quinn.....
Mr. Schilder.....
Mr. Tamm.....
Mr. Tracy.....

RECORDED

COPY FILED IN

62-24354

RECORDED & INDEXED

62-24915-3397

RECEIVED AT

STANDARD TIME
INDICATED ON THIS MESSAGE

Postal Telegraph

THE INTERNATIONAL SYSTEM

Commercial
Cables



All America
Cables

Mackay

Radio

This is a full rate Telegram, Cablegram, Radiogram unless otherwise indicated signal in the check or in the address.

DL	DAY LETTER
NL	NIGHT LETTER
NM	NIGHT MESSAGE
LOD	DEFERRED CABLE
NLT	NIGHT CABLE LETTER
WLT	WEEK END CABLE LETTER
	RADIOGRAM

RXN436 52 GOVT COLLECT

1934 DEC 24 PM 9:00

RG KANSASCITY MO 24 735P

DIRECTOR DIVN OF INV US DEPT OF JUSTICE

PENNSYLVANIA AVE AT 9 ST NORTHWEST WASHN DC

KANNO LOCAL PRESS THIS EVENING CARRIES STORY REGARDING MOTION
FILED TODAY BY ATTORNEYS REPRESENTING GALATAS AND WIFE TO
SUPPRESS EVIDENCE ALLEGEDLY OBTAINED BY AGENTS OF DIVISION THROUGH
X THIRD DEGREE METHODS PRACTICED AT NEWORLEANS AND CHICAGO STOP
PETITION APPARENTLY NAMES NUMEROUS AGENTS AND ALLEGES MENTAL AND PHYSICAL
VIOLENCE AND THREATS WERE EMPLOYED

RECORDED & INDEXED
NATHAN.

Mr. Nathan
Mr. Tolson
Mr. Clegg
Mr. Baugh
Chief Clerk
Mr. Coffey
Mr. Edwards
Mr. Egan
Mr. Harbo
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm
Mr. Tracy
Mr. Egan

62-2191-33

K

CLASS OF SERVICE DESIRED	
DOMESTIC	FOREIGN
TELEGRAM	FULL RATE CABLE
DAY LETTER	DEFERRED CABLE
NIGHT MESSAGE	NIGHT CABLE LETTER
NIGHT LETTER	WEEK-END CABLE LETTER
SHIP RADIOGRAM	RADIOGRAM

Patrons should check class of service desired; otherwise message will be transmitted as a full rate communication.

Postal Telegraph

THE INTERNATIONAL SYSTEM

Commercial
Cables



All America
Cables

Mackay

Radio

RECEIVER'S NUMBER
CHECK
TIME FILED
STANDARD TIME

Send the following message, subject to the terms on back hereof, which are hereby agreed to

December 26, 1934

M. H. FURVIS
DIVISION OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
1900 BANKERS BUILDING
CHICAGO, ILLINOIS

KANNO USA ADVISES AGENT JOHN P. WELLES NECESSARY WITNESS HERE NINE AM DECEMBER TWENTYNINTE

NATHAN

cc - Division ✓

62-28915-
DEC 26 1934
ONE

CLASS OF SERVICE DESIRED	
DOMESTIC	CABLE
TELEGRAPH <input checked="" type="checkbox"/>	FULL RATE <input type="checkbox"/>
DAY LETTER <input type="checkbox"/>	DEFERRED <input type="checkbox"/>
NIGHT MESSAGE <input type="checkbox"/>	NIGHT LETTER <input type="checkbox"/>
NIGHT LETTER <input type="checkbox"/>	WEEK END LETTER <input type="checkbox"/>

Patrons should check class of service desired; otherwise message will be transmitted as a full-rate communication.

WESTERN UNION

NEWCOMB CARLTON, PRESIDENT

J. C. WILLEVER, FIRST VICE-PRESIDENT

CHECK
ADCTG. INFM.
TIME FILED

Send the following message, subject to the terms on back hereof, which are hereby agreed to

EL PASO TEX DEC 28 1934
R B NATHAN DIV OF INVESTIGATION
U S DEPT JUSTICE 1616 FEDERAL RESERVE BANK BLDG KANSAS CITY MO

KANNO I RECEIVED SUBPOENA CALLING FOR APPEARANCE THERE MONDAY AM TWENTYNINTH
BUT UNDERSTAND TRIAL SET FOR THIRTY FIRST ADVISE AT ONCE IF NECESSARY ME
BE THERE TWENTYNINTH
COLVIN

OB GOVT PAID
CHG DIV INVESTIGATION
DEPT JUSTICE EL PASO

cc DIV ✓

RECEIVED

62-28915-

DIVISION OF INVESTIGATION	
DEC 29 1934	
U. S. DEPARTMENT OF JUSTICE	
ONE	ONE

WESTERN UNION GIFT ORDERS ARE APPROPRIATE GIFTS FOR ALL OCCASIONS

CLASS OF SERVICE DESIRED	
DOMESTIC	FOREIGN
TELEGRAM	FULL RATE CABLE
DAY LETTER	DEFERRED CABLE
NIGHT MESSAGE	NIGHT CABLE LETTER
NIGHT LETTER	WEEK-END CABLE LETTER
SHIP RADIOGRAM	RADIOGRAM

Patrons should check class of service desired, otherwise message will be transmitted as a full rate communication.

Postal Telegraph

THE INTERNATIONAL SYSTEM

Commercial
Cables



All America
Cables

Mackay

Radio

RECEIVER'S NUMBER
CHECK
TIME FILED
STANDARD TIME

Send the following message, subject to the terms on back hereof, which are hereby agreed to

Kansas City, Missouri
December 26, 1934

P X PAY
DIVISION OF INVESTIGATION
U S DEPARTMENT OF JUSTICE
370 LEXINGTON AVENUE Room 1403
NEW YORK N Y

KANMO USA ADVISES TURROU'S PRESENCE HERE TWENTY NINTH NECESSARY

NATHAN

•RBN:lg

cc Division ✓

62-72115-
DIVISION OF INVESTIGATION
DEC 26 1934
U.S. DEPARTMENT OF JUSTICE

1616 Federal Reserve
Bank Building
Kansas City, Missouri

December 29, 1934

Special Agent in Charge
Chicago, Illinois

Dear Sir:

Re: CHARLES ARTHUR "PRETTY BOY" FLOYD,
with aliases, (Deceased), ET AL
CONSPIRACY TO DELIVER FEDERAL PRISONER

Confirming my telegram of December 26, 1934, you
are advised that the United States Attorney at Kansas City,
Missouri, has stated that Special Agent John R. Waller is a
necessary witness in the trial of the above case, and should
report at Kansas City at 9 a.m., December 29, 1934.

Very truly yours,

R. E. NATHAN
Special Agent in Charge

REN:BM
62-760

cc - Division
E. J. Connelley, Chicago

62-28915-

DIVISION OF INVESTIGATION	
DEC 29 1934 A.M.	
U. S. DEPARTMENT OF JUSTICE	
ONE	FILE

STANDARD TIME
INDICATED ON THIS MESSAGE

Mackay



All America Cables

Radio

This is a full rate Telegram, Cablegram or Radiogram unless otherwise indicated by signal in the check or in the address.

DL	DAY LETTER
NL	NIGHT LETTER
NM	NIGHT MESSAGE
LCO	DEFERRED CABLE
NLT	NIGHT CABLE LETTER
WLT	WEEK END CABLE LETTER
	RADIOGRAM

Telephone Your Telegrams to **Postal Telegraph**

Mr. Nathan ✓
KANSAS CITY
Mr. Clegg ✓
Mr. Baughman ✓
Chief Clerk ✓
Mr. Coffey ✓
Mr. Edwards ✓
Mr. Egan ✓
Mr. Harbo ✓
Mr. Keith ✓
Mr. Lester ✓
Mr. Quinn ✓
Mr. Tamm ✓
Mr. Tamm ✓
Mr. Tamm ✓

RAA:MFS:

Jacksonville, Florida,
December 27th, 1934.

MEMORANDUM FOR THE FILE

RE: CHARLES ARTHUR "PRETTY BOY" FLOYD,
with aliases (deceased) ET AL:
Conspiracy to Deliver Federal Prisoner.

Agreeable with request in letter from the Kansas City Office to the Director, dated December 15, 1934, copy of which was furnished to the Jacksonville Office, in reply to an inquiry from the Jacksonville Office, the Motor Vehicle Commissioner at Tallahassee, Florida, advised that Chevrolet Sedan, Engine #3505199, Serial #17074, has not been registered in the State of Florida. The Motor Vehicle Commissioner was requested to place a stop card against this car in the event application is made for a registration or title, in which event this office to be immediately notified.

R. A. Alt
Special Agent in Charge.

- 1 - Division
- 1 - Kansas City Office
- 1 - Mr. E. J. Connelley,
Chicago, Ill.

Jax - 62-877

RECORDED

JAN 3 1935

62-28915-3460

U. S. DEPT. OF JUSTICE

DEC 31 1934 A.M.

U. S. DEPT. OF JUSTICE

FILE

POST OFFICE BOX 829
CHICAGO, ILLIN IS

December 26, 1934.

Director,
Division of Investigation
U.S. Department of Justice,
Washington, D.C.

Dear Sir:

Reference is made to your letter of December 24, 1934, relative to the supervision of the work in the Chicago district as to the Dillinger case, the apprehension of the kidnapers of Edward G. Bremer, the Kansas City massacre case, and the matter of T. M. Robinson, Junior, kidnaping.

The instructions indicated are fully understood by me and I will be governed accordingly in connection with the work here.

Very truly yours,

E. J. CONNELLEY,

Special Agent in Charge.
(Special Assignment)

EJC:JMS

RECORDED

JAN 3 1935

62-27915-3401

✓

JAN 31 1935

5

ORIGINAL FILED IN

62-27915-77

2 m

DIVISION OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

Form No. 1

THIS CASE ORIGINATED AT

KANSAS CITY, MO.

FILE NO. 62-619. CW.

REPORT MADE AT: NEW ORLEANS, LA.	DATE WHEN MADE: 12/28/34	PERIOD FOR WHICH MADE: 12/26/34	REPORT MADE BY: L. A. KINDELL
TITLE: CHARLES ARTHUR FLOYD, with aliases, (Deceased); et al.			CHARACTER OF CASE: CONSPIRACY TO DELIVER FEDERAL PRISONER
<p>SYNOPSIS OF FACTS: Chevrolet Sedan, motor #3505199, not registered in Mississippi to date. Stop order placed for remainder of current year and 1935.</p> <p style="text-align: center;">P</p> <p>REFERENCE: Letter from Kansas City Office dated 12-15-34.</p> <p>DETAILS: <u>AT JACKSON, MISSISSIPPI</u></p> <p style="text-align: center;">An examination of the records at the State Auditor's office, Auto Division, Statehouse, reflects that Chevrolet Sedan, motor #3505199, is not registered in Mississippi and a stop order was placed to cover the remainder of the current year and 1935.</p> <p>UNDEVELOPED LEADS: NEW ORLEANS OFFICE, at Baton Rouge, La. Conduct similar investigation.</p> <p style="text-align: center;"><u>P E N D I N G</u></p> <p style="text-align: right; font-size: small;">DO NOT WRITE IN THESE SPACES</p>			
APPROVED AND FORWARDED: <i>D. W. Mayer</i>	SPECIAL AGENT IN CHARGE	62-38915-3452 DEC 31 1934 BUREAU OF INVESTIGATION DEPARTMENT OF JUSTICE	
COPIES OF THIS REPORT FURNISHED TO: 2-Division 2-Kansas City 1-Chicago 2-New Orleans		ROUTED TO: <i>[Signature]</i> FILE	RECORDED AND INDEXED: DEC 31 1934 CHECKED OFF: JAN 3 1935 TICKETED:

Division of Investigation

U. S. Department of Justice

Post Office Box 2118

Detroit, Michigan

December 28, 1934

Director
Division of Investigation
U. S. Department of Justice
Pennsylvania Avenue at 9th Street, N. W.
Washington, D. C.

Re: CHARLES ARTHUR "PRETTY BOY" FLOYD with
aliases (Deceased); et al;
Conspiracy to Deliver Federal Prisoner.

Dear Sir:

This is to advise that on December 24, 1934, Mr. Ray A. Bachtel, Marshal, North Canton, Ohio, was interviewed at his home by Special Agent (A) R. E. Brake concerning information contained in his letters of October 23 and 25, 1934, to the Division with regard to "Pretty Boy" Floyd.

Mr. Bachtel stated that he is positive the individual driving the automobile was Floyd; that the automobile was a very odd, old one and it attracted his attention; that an informant of his, after Floyd's death, told him that the day prior to his seeing him in North Canton (October 11, 1934) Floyd spent the night at some woman's residence in Canton, Ohio and was seen by the informant; that the informant is trying to ascertain the name of this woman and in the event this information can be obtained, Mr. Bachtel will inform the Division. Mr. Bachtel stated that he thought the Division would be interested in the information contained in his letters for the purpose of locating the automobile and also in connection with the harboring charges.

Regarding Floyd's being at Coolidge Dam in Colorado in 1932, Mr. Bachtel stated that a young man had told him about the old man's experiences (the name of the old man not being known to Bachtel's informant) and that it was as set forth in his letter to the Division of October 25, 1934.

Very truly yours,

62-28915-3403

COPIES DESTROYED

11 AUG 21 1964

REP:AM
62-690

cc-Kansas City
cc-S.A.C. Connelley, Chicago.

Wm. Larson
Special Agent in Charge.

INDEXED

JAN 3 1935

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT **Kansas City, Missouri**

FILE NO. **62-2**

REPORT MADE AT: Little Rock, Ark.	DATE WHEN MADE: 12/27/34	PERIOD FOR WHICH MADE: 12/19-22/34	REPORT MADE BY: M. A. Taylor
TITLE: Charles Arthur "Pretty Boy" Floyd, with aliases, (Deceased); et al.			CHARACTER OF CASE: CONSPIRACY TO DELIVER FEDERAL PRISONER

SYNOPSIS OF FACTS: John Stover, airplane pilot, Municipal Airport, Hot Springs, Arkansas, served with subpoena to appear, U. S. District Court, Kansas City, Missouri, December 31, 1934. Log book of John Stover obtained and forwarded by registered mail to the Kansas City Division office.

RUC

REFERENCE: Letter from the Little Rock office to the Kansas City office, dated December 15, 1934. Telegram from the Kansas City office, dated December 21, 1934.

DETAILS:

On the morning of December 19, 1934, the writer accompanied Deputy U. S. Marshal Henri Julian, Little Rock, Arkansas, to Hot Springs, Arkansas, where Deputy Marshal Julian served John Stover, airplane pilot, with a subpoena to appear in the U. S. District Court, Kansas City, Missouri, on December 31, 1934. John Stover was located on this occasion at the aerodrome, Municipal Airport, Hot Springs, Arkansas, as he stepped from his airplane, having arrived from a trip to Russellville, Arkansas.

DETAILS: On December 22, 1934, in response to reference telegram, the writer interviewed John Stover at his home, which is situated at the Municipal Airport on U. S. Highway 70, approximately two miles from Hot Springs, Arkansas. At this time, John Stover furnished the writer his original log book. Stover identified the writing appearing in the log book as his own handwriting. With regard to the entry reflecting the flight from Hot Springs, Arkansas, to Joplin, Missouri, on June 16, 1933, it was observed that this entry was inserted on June 17, 1933. In this connection, Stover advised that he had not made the entry until his return to Hot Springs on June 17, 1933. He specifically

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: <i>E. E. Cowley</i> SPECIAL AGENT IN CHARGE	62-28915-3404 DEC 31 1934 BUREAU OF INVESTIGATION ROUTED TO: <i>[initials]</i> FILE	RECORDED AND INDEXED: DEC 31 1934 CHECKED OFF: JAN 3 - 1935 JACKETED:
COPIES OF THIS REPORT FURNISHED TO: 3 Division 3 Kansas City 2 Chicago 2 Little Rock COPIES DESTROYED		

11 AUG 21 1964

identified this entry as his handwriting.

The above mentioned log book was returned to the Little Rock Division office personally by the writer and forwarded direct to the Kansas City Division office by registered mail. The Kansas City office was advised of this procedure by telegram from the Little Rock office, dated December 22, 1934. It may be stated that John Stover requested that his log book be returned to him after it has fulfilled its use in the trial in instant case.

REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN

JOHN EDGAR HOOVER
DIRECTOR

Division of Investigation

U. S. Department of Justice

Washington, D. C.

November 27, 1934.

WPC:ON

MEMORANDUM FOR MR. TALL.

In accordance with your suggestion I have reviewed the ballistic evidence in the Kansas City Massacre Case with a view to checking the tenability of Merle Gill's recent statements for the Press regarding the shooting.

Gill now indicates that Chief of Police Otto Reed before his death fired two shots from a double-barreled shot gun and these shots were responsible for the death of Agent Caffrey, Detective Hermanson, and Frank Nash. Gill, to support this statement, indicates that two fired 16 gage shot gun shells UMC, were found on the floor of the back seat of the car where Reed was sitting, and that these shells are still in his possession.

Gill has previously indicated to agents of the Kansas City Office that these two shot gun shells were each discharged by a different firing pin and that fact together with the absence of any ejector marks indicated to him that they came from a double-barreled shot gun. There is no evidence in the case that either Reed or anyone of the officers in the party carried a double-barreled shot gun. There is evidence to the effect that Otto Reed carried a 16 gage Winchester Hammerless pump-gun. If the two shot gun shells in Merle Gill's possession came out of this pump-gun he should be able to readily identify similar markings of the firing pin.

It will be noted that Agent Caffrey when shot was reported to have been either to the rear and left (Northeast) of his own automobile in which Reed was seated, or at the left side (East) of his own automobile. Detective Hermanson was in the street on the right side (West) of Agent Caffrey's car in which Reed was seated, and furthermore, a ball bearing missile was also found on the floor of the Plymouth Coach parked at the right (West) of Agent Caffrey's car.

I have talked with Special Agent Bryce, one of the present trainees and a former Oklahoma City police officer. Bryce told me that Reed had borrowed from him in order to make the trip to Kansas City at that time, his 30 calibre Winchester rifle and that at that time Reed had no shot gun, but that he, Bryce, later heard Reed had obtained his son's shot gun. This information is in line with that furnished by Special Agent Smith in letter dated at Oklahoma City, November 12, 1934.

RECORDED & INDEXED

62-2391-3445

The two shot gun shells which were Remington UMC Nitro Club #16 are not in the possession of the Division, although there are in the Laboratory photographs of the faces of these shells. These photographs do not

COPIES DESTROYED

Memo for Mr. Tamm.

- 2 -

November 27, 1934.

disclose sufficient characteristic markings in my opinion to permit identification from the photographs themselves. The originals, I understand, are in Gill's possession. There are in the possession of Division Five discharged Winchester Repeater #16 shells which were fired through the pump-gun of George Reed, the son of Otto Reed, in the presence of Agent Smith. So far as I know Merle Gill has never seen any specimens from this pump-gun.

I suggest that if possible the two original shells in the possession of Gill be obtained for comparison in the Laboratory with the five shells from Reed's gun, in order that an examination may be made with a view to determining whether or not they came from the gun of Reed.

Already in Division Five file
I further note in the file that Ralph Gray, former police photographer, is reported to have taken a number of close up photographs of the automobile showing holes made as a result of gunfire. It is thought that these might disclose some helpful data on this question and it is believed that if the Kansas City Office has not already obtained copies of these from Gray, they should be requested. I know one lead was to Ft. Worth, Texas, where Gray was reported to have moved but the agents were unable to locate him at that point and I do not know whether the matter was followed up.

Gill's recent statements lack any concrete evidence to back them up and appear to be mere theories which he is building up. I particularly wish to quote his statement as reported in Agent Trainor's report dated March 29, 1934. He, Gill, stated that the lack of any similarity between the two Exhibits (9 and 10) indicates clearly that they were fired from a double-barreled weapon which uses two firing pins. He stated that they could not have come from a pump-gun or an automatic gun because of the absence of any ejector marks which would be shown if they had been fired from such a weapon.

In the absence of any indication whatsoever that a double-barreled shot gun was in the possession of any of the officers present at the scene, I think the evidence clearly points to the use of such a weapon by the murderer.

Respectfully,

E. P. Coffey
E. P. Coffey.

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT **KANSAS CITY, MISSOURI**

FILE NO. **62-10 CJB**

REPORT MADE AT: Buffalo, New York	DATE WHEN MADE: 12/29/34	PERIOD FOR WHICH MADE: 12/22 & 26/34	REPORT MADE BY: J. D. Cunningham
TITLE: CHARLES ARTHUR "PRETTY BOY" FLOYD with aliases (deceased); et al			CHARACTER OF CASE: CONSPIRACY TO DELIVER FEDERAL PRISONER

SYNOPSIS OF FACTS:

Investigation to ascertain whether Floyd, Richetti and their companions had received any telegrams while in Buffalo, New York, unsuccessful. Efforts to trace Express packages also unsuccessful.

- P -

REFERENCE:

Report of Special Agent G. V. Doherty, Buffalo, New York, dated 12/19/34.

DETAILS:

AT BUFFALO, NEW YORK

C. V. Daigler, Assistant to Chief of Special Agents, Railway Express Company, Terminal Building, was interviewed and he stated that he had ascertained in their record room that there have been over 752,000 way-bills filed for the thirteen months that Floyd and Richetti were in Buffalo and that a check of all these way-bills would be impossible. He stated, however, that he had personally talked to each driver to ascertain whether or not they had delivered any express packages to No. 8 Eighteenth Street and that in each instance the driver had informed him that he had no recollection of delivering any packages to that address.

Mr. Daigler informed that deliveries to the section of the city where 8 Eighteenth Street is located, are very infrequent and that he is of the opinion that if packages had been delivered to that address, the drivers would have remembered it.

APPROVED AND FORWARDED:

J. P. MacFarland

SPECIAL AGENT IN CHARGE

COPIES OF THIS REPORT FURNISHED TO:

- ③ - Division
- 2 - Kansas City
- 2 - New York
- 1 - SAC Connelley, Chicago, Ill.
- 2 - Buffalo

62-29715-3406	RECORDED AND INDEXED: JAN 2 - 1935
UNITED STATES	CHECKED OFF: JAN 3 1935
BUREAU OF INVESTIGATION	JACKETED:
ROUTED TO:	FILE

COPIES DESTROYED

Continuing, Mr. Daigler stated that when packages of high value were received, they were sent by Special drivers to the consignees and he stated that he had contacted both these special drivers and one had stated that he recalled delivering package under the name of West. On the strength of this, Mr. Daigler advised that he had searched all the way-bills handled by these special drivers and had found that on October 3rd, 1934, two packages had been delivered to Grace West, Pearl and Huron Streets, Buffalo, New York. The way-bill numbers on these packages were 266,427 and 283,685. Both these packages had a valuation of fifty dollars and the consignor was S. French.

In conclusion, Mr. Daigler stated that this instance was the only one he found where a package had been delivered to a Buffalo address under the names used by Floyd, Richetti and their companions while in Buffalo, New York.

At Pearl and Huron Streets, investigation disclosed that Grace West was employed by the Playhouse Theatre at that intersection.

Miss West was interviewed and she stated that the consignor on these packages was Samuel French, a New York theatrical man; that he often ships packages to the theatre and that in all probability the packages in question contained theatrical tickets.

Mr. B. J. Eitelman, Commercial Department, Western Union Telegraph Company, Chamber of Commerce Building, Buffalo, New York, was interviewed and he stated that a search of all the telegrams received in Buffalo during the period that Floyd, Richetti and their companions were here would be impracticable, but that contact with the office that handled deliveries for the district in which Floyd, Richetti and their companions lived, could be made and in that way a complete check made as to whether or not telegrams were delivered to these individuals while in Buffalo, New York.

Subsequently, Mr. Eitelman advised that unfortunately the address of the above people while in Buffalo, New York, was handled through the main office in the Rand Building and that for this reason it made the check in this matter much more difficult. He stated, however, that he had the different employees of the main office interrogated and that none of them remembered any wires sent to that address during that period.

Mr. J. S. McIntyre, City Superintendent of the Postal Telegraph Company, 723 Prudential Building, Buffalo, New York, was contacted and he expressed a willingness to cooperate in this matter, stating that he would make a thorough investigation at his branch office handling that district and report the results to this writer.

Subsequently, Mr. McIntyre was interviewed and he advised that a most thorough check at this branch office had failed to disclose that either Floyd, Richetti or their companions had received any Postal telegrams during the time they were in Buffalo, New York.

Among the effects found at the apartment wherein Floyd, Richetti and their companions had resided was an order blank for magazines issued by the Women's Home Companion Reading Club of Buffalo, 887 Ellicott Square Building, Buffalo, New York and Mr. Cramer, manager of that office was interviewed. After searching his records, he advised that in the regular course of business, they had taken an order for the magazines: Photoplay, Women's Home Companion and the American; that this order had been signed by Mrs. George Sanders, who gave her husband's occupation as a truck driver.

Continuing, Mr. Cramer stated that during the period they delivered these magazines to 8 Eighteenth Street, nothing peculiar was noted in the behavior of these people; that their collector contacted them once a month; that he had collected most of this account himself; and that on one occasion, Mrs. Sanders had advised him to collect the \$.65 due on these magazines after the 20th of each month.

Mr. Cramer recalled that on one occasion, Mrs. George Sanders had not been at home and that on this occasion, he (Cramer) had been paid by a man whom he believed to be Mr. George Sanders but whom he does not recall sufficiently to identify.

Mr. Cramer stated that he had learned that these people had moved and had sent them a first class letter in an effort to secure their forwarding address knowing that magazines are second class mail and are not forwarded. Mr. Cramer advised that this letter he had sent first class mail had been returned, the people having left no forwarding address upon leaving Buffalo.

62-10

At the Buffalo Identification Unit, a discreet effort was made to secure a photograph of Chuck Connors but this writer was advised that at the present time, the only photograph available is one taken in New York City and that there are no extra copies available, but they volunteered to make up a copy for the writer and furnish it to him in the near future.

During the course of the interview with Mr. O. V. Daigler, Assistant to Chief of Special Agents, Railway Express Company, Terminal Building, Buffalo, New York, he (Mr. Daigler) advised that if any money had been received by Floyd, Richetti or their companions, that the American Express Company would, in all probability, have been used as it is the most convenient means of transmitting money through the mails. Mr. Daigler advised that all cancelled checks of the American Express Company are kept at the New York City Office of the Railway Express Company.

UNDEVELOPED LEADS:

The NEW YORK CITY DIVISION OFFICE at NEW YORK CITY, will contact the officials of the American Express Company and ascertain whether or not there are any cancelled checks under the names: George Sanders, Edward Brennan, Ed Brennan, Mrs. George Sanders, Byrl West, Juanita Baird, Mrs. Ed Brennan, Edith Brennan, Rose Brennan and Rose Baird, and ascertain if possible whether or not any money orders had been mailed to No. 8 Eighteenth Street under the above names.

The BUFFALO DIVISION OFFICE at BUFFALO, NEW YORK, after the picture of Chuck Connors is secured, will exhibit same to William F. Coughlin, occupant of the pent house at No. 8 Eighteenth Street, to ascertain whether or not this individual is the same party that visited Floyd and Richetti during the time they were in Buffalo, New York.

- P E N D I N G -

Division of Investigation

U. S. Department of Justice
Post Office Box 812
Chicago, Illinois

December 17, 1934

Director,
Division of Investigation,
U. S. Department of Justice,
Washington, D. C.

Re: VERNON C. MILLER, with aliases
(Deceased); RICHARD TALIMAN GALATAS,
with aliases, I.O. 1201; CHARLES
ARTHUR FLOYD, with aliases, I.O. 1194;
et al. CONSPIRACY TO DELIVER FEDERAL
PRISONERS.

Dear Sir:

The attached voucher for automobile rental covers
the hire of a car used in connection with the Kanmo case.

Mrs. Frank Nash, subject in this case, was
brought from her home in Aurora, Minnesota to the Chicago
Division office for further questioning at the time subject
Galatas was in custody in this city. Mrs. Nash was co-
operating fully with this office, and at her request was
driven to Aurora, Minnesota by Special Agents M. Chaffetz
and A. P. Barber, in order to avoid any danger that she
might incur on this trip. It was also the desire of this
office to avoid any publicity concerning her presence in
this city.

Since the trip to Aurora, Minnesota could not
be made conveniently by common carrier, and no Division
car suitable for such a trip being available, it was
necessary to hire the car, the voucher for which hire is
attached hereto.

Very truly yours,

W. L. Connelley
W. L. CONNELLEY,
Special Agent in Charge.

MC:FVV
62-1649
Enc.

SPECIAL ASSIGNMENT

RECORDED

JAN 2 - 1935

62-24915-347
DEC 21 1934
EX-101
W. L. Connelley

UNRECORDED COPY FILED IN 66-34

JOHN EDGAR HOOVER
DIRECTOR

EAT:TAM

Division of Investigation

U. S. Department of Justice

Washington, D. C.

December 28, 1934

MEMORANDUM FOR THE DIRECTOR

Mr. Nathan.....
Mr. Tolson.....
Mr. Clegg.....
Mr. Baughman.....
Chief Clerk.....
Mr. Coffey.....
Mr. Edwards.....
Mr. Egan.....
Mr. Harbo.....
Mr. Keith.....
Mr. Lester.....
Mr. Quinn.....
Mr. Schilder.....
Mr. Tamm.....
Mr. Tracy.....

At 5:00 P.M. last night Mr. Vetterli called me and advised that he and Mr. Nathan had just returned from Mr. Milligan's office where they had been discussing the Kansas City Massacre Case. Mr. Vetterli stated that possibly the only Agents needed to testify for the Government in connection with the defendant's claim of third degree tactics would be Agents McKee and Suran of the Chicago Office. He stated that this had not as yet been definitely determined but that if this was decided he would contact the Chicago Office and arrange to have these Agents in Kansas City on Saturday morning. Mr. Vetterli advised that they would require Mrs. Nash's presence in Kansas City on Saturday instead of Monday and the St. Paul Office was being advised this afternoon.

Mr. Vetterli stated that the United States Attorney desired a general check-up made upon the reputation of Henry G. Balsban, the attorney in Chicago who has entered his appearance for Galatas. I authorized Mr. Vetterli to request the Chicago Office to make this check-up but cautioned him to use the utmost discrimination, caution and judgment in so doing, since publicity concerning this check-up might place the Division in an embarrassing situation.

Mr. Vetterli advised that the United States Attorney desired a memorandum indicating the official status of the Division Agents who took Frank Nash into custody on the day that Nash was apprehended, together with other evidence showing that these Agents were the representatives of the Attorney General in returning Nash to Leavenworth. I advised him that the Division was working upon this matter and that the necessary documents would arrive in Kansas City by Monday.

Respectfully,

E. A. Tamm

RECORDED & INDEXED

1 copy

JAN 2 1935

COPIES DESTROYED

11 AUG 21 1964

62-28915-3406

62-28915-3409

RECORDED

RE:TD

January 8, 1935.

Special Agent in Charge,
St. Louis, Missouri.

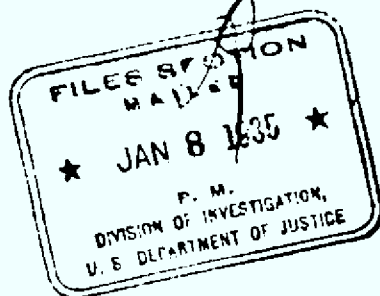
Dear Sir:

Reference is made to your letter dated December 28, 1934, wherein you advised that you are unable to locate copy of Division letter dated November 27, 1934, which was addressed to Mr. J. L. Gordon, of Metropolis, Illinois, advising that an Agent from your office would interview him in the near future.

A review of the Division's file discloses that the letter of November 27, 1934 was rewritten under date of November 30 and addressed to Mr. Gordon, at Metropolis, Illinois, advising him that an Agent would not call upon him, as he had been previously informed. A copy of this letter was furnished to your office and, under the circumstances, no further action need be taken in this matter.

Very truly yours,

John Edgar Hoover,
Director.



2 yellows

C 2

Handwritten marks, including a large checkmark and a stylized "E" or "B" shape.

REN:CJ

12-11

November 27, 1934.

Mr. J. L. Gordon,
Metropolis, Illinois.

Dear Sir:

This is to acknowledge your letter dated November 21, 1934 wherein you advise that a Special Agent of the St. Louis, Missouri office of this Division has not yet interviewed you relative to the matter which you reported to this Division in previous correspondence.

Please be advised that the Special Agent in Charge of the St. Louis office is being instructed to expedite the assignment of an agent to interview you.

Thanking you for your cooperation and interest in the work of this Division, I am

Very truly yours,

John Edgar Hoover,
Director.

CC - St. Louis

Encl. (copy of letter from Mr.
Gordon, dated 11/21/34)

62-28915- 2263

70 Nov 12-17-34 7 11

1-7
REN:CBH
62-28915

December 19, 1934

Special Agent in Charge,
St. Louis, Missouri.

Dear Sir:

Under date of November 27, 1934 the Division addressed a second letter to Mr. J. L. Gordon, Metropolis, Illinois, advising him that an Agent from your office would interview him in the near future.

The Division desires that this matter receive your immediate attention and that a report be submitted covering the interview with Mr. Gordon.

Very truly yours,

John Edgar Hoover,
Director.

1 copy

DIVISION OF INVESTIGATION
FROM: UNIT #1 & UNIT #3

1-2-1935

TO: ☐ Director
☐ Mr. Nathan
☐ Mr. Tolson
☐ Mr. Edwards
☐ Mr. Quinn
☐ Mr. Tamm
☐ Unit Two

Unit Four

☐ Files Section
☐ Personnel Files
☐ Equipment Section
☐ Chief Clerk's Office

Unit Five

☐ Identification Unit
☐ Statistical Section
☐ Technical Laboratory

SUPERVISORS

Unit One

☐ Mr. Listerman
☐ Mr. Lowdon
☐ Mr. Bryan
☐ Mr. Newby
☐ Mr. Richmond
☐ Mr. Thompson

Unit Three

☐ Mr. Joseph
☐ Mr. Fagan
☐ Mr. Smith

☐ Miss Gandy

☐ Mrs. Kelley

☐ Washington Field Office

☐ M

☐ Secretary

☐ Correct

☐ Re-write

☐ Re-date

☐ See me

☐ Send file

All previous correspondence?

62-27915 #2853 - 3263

62-33430

only references

Supervisor -

5115

Division of Investigation

U. S. Department of Justice

Post Office Drawer 1457
Saint Louis, Missouri
December 28, 1934

Director,
Division of Investigation,
U. S. Department of Justice,
Pennsylvania Ave. at 9th St. N. W.,
Washington, D. C.

Dear Sir:

This office is in receipt of Division letter of the 19th instant, wherein the Division advises that under date of November 27th a second letter was addressed to Mr. J. L. Gordon of Metropolis, Illinois, advising him that an Agent from this office would interview him in the near future.

Please be advised that this office has made every effort to locate this matter, without success to date, and I thought that perhaps same pertained to a case which might be indexed under names other than Mr. Gordon's. Accordingly, it is respectfully requested that the Division furnish this office more detailed information relative to Mr. Gordon's complaint. I assure you that immediately upon receipt of same Mr. Gordon will be interviewed and a report submitted to the Division at the earliest possible date.

Very truly yours,

R. E. Vetterli
R. E. VETTERLI
Special Agent in Charge.

REV:H

RECORDED & INDEXED

62-28915-3407

JAN 9 - 1935

Counselors at Law

~~Edward E. Tamm~~

Merle C. Reagle

East Palestine, Ohio, December, 19, 1934.

Mr. J. Edgar Hoover, Director,
Division of Investigation,
Department of Justice,
Washington, D.C.

Dear Sir:

With reference to the following matter I have been referred to your office by Mr. M. H. Purvis, Special Agent in Charge, U.S. Department of Justice, Chicago, Illinois.

Mr. Clyde O. Birch, Constable of St. Clair Township, R.F.D. #1, East Liverpool, Ohio, desires to make application and secure supporting affidavits regarding the payment of a reward by the State of Oklahoma for the apprehension and capture of one Charles Arthur Floyd, the notorious bandit.

Mr. Birch informs me that the immediate whereabouts of "Pretty Boy" Floyd were telephoned to the agents of the department of justice from a rural location by Mr. Birch and that such information led to the capture of Floyd. Mr. Robert Robinson, R.F.D. #1, East Liverpool, Ohio, first informed Mr. Clyde O. Birch, the Constable, and both men seek to make application for the reward jointly.

I have been asked by Mr. Birch and Mr. Robinson to assist them in executing the application and securing affidavits, and would appreciate a word from you as to whether or not the department is in a position to furnish any information in behalf of Mr. Birch and Mr. Robinson's claim?

R/M

Very truly yours,

Merle C. Reagle

RECORDED & INDEXED

DEC 11 1935

See Serial # 3266

62-28915-3410

DIVISION OF INVESTIGATION

DEC 21 1934 A.M.

U. S. DEPARTMENT OF JUSTICE

FILE

CHF. CLK.

FORM NO.

THIS CASE ORIGINATED AT **Kansas City, Missouri**FILE NO. **62-456**

RECEIVED

REPORT MADE AT: Okla. City, Okla.	DATE WHEN MADE: 12/27/34	PERIOD FOR WHICH MADE: 12/20/34	REPORT MADE BY: R. H. Butterworth
TITLE: CHARLES ARTHUR "PRETTY BOY" FLOYD with aliases (Deceased); ET AL.			CHARACTER OF CASE: Conspiracy to Deliver Federal Prisoner

SYNOPSIS OF FACTS:

No machine guns or automatic pistols recovered by peace officers during raid on the home of Bradley Floyd near Earlsboro, Oklahoma, about June 3, 1933.

REFERENCE:

Letter from Little Rock Office to Kansas City Office dated November 27, 1934.

DETAILS:

Agent interviewed Under-Sheriff Ben Doyle, of Seminole County, at Newoka, Oklahoma, who advised Agent that he was present on a raid of the house of Bradley Floyd near Earlsboro, Oklahoma, about June 3, 1933, at which time Bradley Floyd and "Blackie" Smalley were arrested, and that no sub-machine guns or automatic pistols were recovered by the peace officers taking part in this raid.

P E N D I N G

DETAILS

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: <i>Wright Brantley</i> SPECIAL AGENT IN CHARGE	62-28715-3411	RECORDED AND INDEXED JAN 2 - 1935
COPIES OF THIS REPORT FURNISHED TO: 3-Division 2-Kansas City 1-Chicago (Connelley) 2-Okla. City	BUREAU OF INVESTIGATION DEC 31 1934 A.M. DEPARTMENT OF JUSTICE ROUTED TO: <i>A</i> FILE	CHECKED OFF: JAN 3 1935 JACKETED:

COPIES DESTROYED

U.S. GPO: 1934 O-548,000-10001

11 AUG 21 1964

JOHN EDGAR HOOVER
DIRECTOR

EAT:TAM

Division of Investigation

U. S. Department of Justice

Washington, D. C.

December 27, 1934

MEMORANDUM FOR THE DIRECTOR

Mr. Nathan.....
Mr. Tolson.....
Mr. Clegg.....
Mr. Glavin.....
Chief Clerk.....
Mr. Coffey.....
Mr. Edwards.....
Mr. Egan.....
Mr. Harbo.....
Mr. Keith.....
Mr. Lester.....
Mr. Quinn.....
Mr. Schaefer.....
Mr. Tamm.....

9:55 A.M.

RE. *Kaino Case*

I called Mr. Nathan and advised that the Director desired to know how the defendants' counsel secured the names of our agents. He advised that this information was evidently secured from the defendants themselves - that the names were given, in several instances, incorrectly, and in other instances phonetic spelling was used. He stated that he would endeavor to ascertain further, if possible, where the names were obtained.

In connection with the request for 16 men on Saturday I advised that this cannot be done. I stated that the Director will send Magee there and that McKee and Suran will arrive there from Chicago; that the matter should be explained to the United States Attorney, and that he should be advised of the alternative - that is, of sending the agents named there, if he so desires. I asked that Mr. Nathan advise me of the results of the conversation with the United States Attorney.

Respectfully,

EAT

E. A. Tamm

1 copy

RECORDED

62-24817-3715

COPIES DESTROYED

11 AUG 21 1964

JAN 2 - 1935

RECORDED

DOMESTIC	FOREIGN
TELEGRAM	TELEGRAM
DAY LETTER	DAY LETTER
NIGHT MESSAGE	NIGHT MESSAGE
NIGHT LETTER	NIGHT LETTER
SWIFT RADIOGRAM	SWIFT RADIOGRAM

Patrons should check class of service desired, otherwise message will be transmitted as a full rate communication.

Postal Telegraph

THE INTERNATIONAL SYSTEM

Commercial Cables



All America Cables

Mackay

Radio

RECEIVER'S NUMBER	7116
CHECK	
TIME FILED	
STANDARD TIME	

Send the following message, subject to the terms on back hereof,

which are hereby agreed to

Form 1

J A DOWD
DIVISION OF INVESTIGATION
U S DEPARTMENT OF JUSTICE
503-a U S COURT HOUSE & POST OFFICE
SALT LAKE CITY UTAH

LITTLE ROCK ARKANSAS
DECEMBER 27 1934

RETEL TWENTYFIRST INSTANT HOWARD KILLINGSWORTH NOWTA SUSPECT KILLINGSWORTH AND CLYDE CHUCKLANE REFUTED FORMER ASSOCIATE CHARLES ARTHUR FLOYD RESIDED TOGETHER NORTH LITTLE ROCK ARKANSAS DURING MAY JUNE THIS YEAR STOP KILLINGSWORTH IS CASBLER AND ALLEGED ACQUAINTANCE OF MRS JILLIE CREIGHTON OF NOWATA OKLAHOMA WHO IS REPORTED FRIEND OF BARKER BROTHERS AND OTHER NOTORIOUS OKLAHOMA OUTLAWS

- REC:B
- cc Division
- cc St. Paul
- cc Kansas City
- cc Oklahoma City
- cc Chicago

CONROY

62-28915-

DIVISION OF INVESTIGATION

DEC 31 1934 P.M.

U. S. DEPARTMENT OF JUSTICE

ONE FILE

RECEIVED

JOHN EDGAR HOOVER
DIRECTOR

Division of Investigation

U. S. Department of Justice

Washington, D. C.

REN:RD

December 26, 1934

MEMORANDUM FOR MR. TAMM.

Mr. Nathan ☒
Mr. Tolson ☒
Mr. Clegg ☒
Mr. Baughman ☒
Chief Clerk ☒
Mr. Coffey ☒
Mr. Edwards ☒
Mr. Egan ☒
Mr. Harbo ☒
Mr. Keith ☒
Mr. Lester ☒
Mr. Quinn ☒
Mr. Schilder ☒
Mr. Tamm ☒
Mr. Tracy ☒

The Division has received several requests for information regarding the location and killing of Charles Arthur "Pretty Boy" Floyd near Clarkson, Ohio on October 22, 1934. The information is desired in connection with applications to be made for rewards offered by local authorities and a magazine known as True Detective Mysteries, to be paid persons furnishing information which led up to the location of Floyd.

One of these requests was received from Mr. John Shuttleworth, Editor, True Detective Mysteries, in his letter dated December 11, 1934, received in the Division December 12, 1934. The other request was from Mr. Merle C. Reagle, Counselor at Law, East Palestine, Ohio, who set forth his original request in a letter dated November 22, 1934 addressed to Mr. Melvin Purvis at Chicago, Illinois. The letter of Mr. Reagle was in turn forwarded to the Division under date of November 30, 1934 and received on December 3, 1934. Mr. Reagle has since addressed a letter direct to the Division under date of December 19, 1934 which was received on December 21, 1934. It appears that Mr. Reagle is interested in obtaining the reward for one Clyde O. Birch, Constable of St. Clair Township, R.F.D. #1, East Liverpool, Ohio, alleging that Mr. Birch furnished the information which led up to the location of Floyd, thereby entitling him to the reward offered by the State of Oklahoma. } sec Serials 3251 & 3266

It does not appear from the report submitted by Special Agent S. K. McLaughlin at Chicago, Illinois, October 26, 1934 that any one individual was exclusively responsible for the location of Floyd near Clarkson, Ohio. The report reflects that one of the special squads of Agents of the Division, while patrolling the territory north of East Liverpool, Ohio around 1:00 P.M. on October 22, 1934, interviewed Robert Robison, a farmer, R.F.D. #1, East Liverpool, Ohio, whose farm is located a few miles west of Calcutta, Ohio. Robison, when shown the photograph of Floyd, immediately identified it as the likeness of a man who had been furnished food at his farmhouse at about 12:30 P.M. on the same day, October 22, 1934. He stated that the photograph was a perfect likeness of the man who had eaten at his house, and described him as wearing a Navy blue suit without a hat, and further advised that after he finished

RECORDED
&
INDEXED

JAN 5 - 1935

62-29915-3413
JAN 2 1935
NATHAN
TOLSON
TAMM

COPIES DESTROYED

11 AUG 21 1964

12-26-34

eating he had requested to be driven to Youngstown, Ohio. Robison stated that he declined to drive this individual to Youngstown and thereupon the man departed on foot.

The information obtained from Robison was immediately communicated to the Special Agent in charge of the investigation, at the Traveller's Hotel, at East Liverpool, Ohio, and thereupon several additional squads of Agents were sent into the vicinity of Robison's farm and together with a squad of members of the Police Department of East Liverpool, Ohio, they patrolled that vicinity until they located Floyd at approximately 4:10 P.M. on the farm of Mrs. Ellen Conkle, two miles south of Clarkson, Ohio. Floyd was dressed as described earlier in the day by Robison and, failing to halt at the command of the Special Agent in charge of the squad, Floyd was killed while resisting arrest.

No reference is made in the report of Special Agent McKee to Mr. Clyde O. Birch referred to in the letters received from Mr. Reagle. However, a memorandum prepared by Special Agent C. F. Risler dated November 28, 1934 and transmitted to the Division by Special Agent in Charge William Larson of the Detroit Office under date of November 28, 1934, stated that at about 10:00 o'clock on the morning of October 22, 1934 he was advised by Special Agent in Charge M. H. Purvis that Floyd had been seen about ten miles north of East Liverpool. Agent Risler, together with Special Agents R. G. McCallum and D. DiLillo proceeded to this vicinity and while patrolling this section, at about 12:15 P.M. drew into a gas station for the purpose of communicating with Special Agent in Charge Purvis at East Liverpool, Ohio. Agent Risler further states in his memorandum, "I had just finished making this telephone call to SAC Purvis when Clyde Birch, a Constable, rushed into the gas station and said 'Are there any D. J. men here.' He was followed by Robert Robinson, a farmer. I made myself known and was then advised by Birch that Robinson had fed 'Pretty Boy' Floyd at his farm house about fifteen minutes ago."

Agent Risler thereupon re-contacted Mr. Purvis and furnished him with this information which resulted in the dispatching to that vicinity additional squads of Agents. Agent Risler also sets forth in his memorandum that Constable Birch advised him that he had dropped into Robison's farm and had asked Robison whether or not he had seen "Pretty Boy" Floyd; that Robison replied that he didn't know but that he had fed a stranger a few minutes before.

Memo for Mr. Tamm

-3-

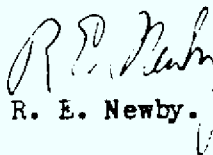
12-26-34

Robison is said to have described the stranger to Constable Birch who recognized the description as being that of Floyd and thereupon took immediate steps to locate representatives of the Department of Justice.

Agent Risler concludes his memorandum by stating that it is his opinion that Constable Birch and Robert Robison should be entitled to any rewards which may have been offered for the apprehension of Floyd.

The letters previously prepared addressed to Mr. John Shuttleworth, Editor, True Detectives Mysteries magazine and Mr. Reagle, Attorney, East Liverpool, Ohio are attached hereto for your consideration.

Respectfully,


R. E. Newby.

CLASS OF SERVICE DESIRED	
DOMESTIC	CABLE
TELEGRAM <input checked="" type="checkbox"/>	FULL RATE
DAY LETTER	DEFERRED
NIGHT MESSAGE	NIGHT LETTER
NIGHT LETTER	SHIP RADIOGRAM

Patrons should check class of service desired; otherwise message will be transmitted as a full-rate communication.

WESTERN UNION

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

1200-A

CHECK
ACCTG INFM. <i>u</i>
TIME FILED

Send the following message, subject to the terms on back hereof, which are hereby agreed to

LOSANGELES CALIFORNIA
DECEMBER 22 1934 1:40 PM

R B NATHAN
DIVISION OF INVESTIGATION
US DEPARTMENT OF JUSTICE
1616 FEDERAL RESERVE BANK BUILDING
KANSAS CITY MISSOURI

Q KANNO ARTHUR MUCHOW ADDRESS CARE LONGBEACH POLICE IDENTIFICATION

BUREAU

DUNN RES

CHARGE, Gov. Rate, Off. Bus.
Division of Investigation
617 Federal Building
JGF/EL
cc/ Division ✓

62-28715-

DECEMBER 23 1934

U.S. DEPARTMENT OF JUSTICE

ONE A

THE QUICKEST, SUREST AND SAFEST WAY TO SEND MONEY IS BY TELEGRAPH OR CABLE

CLASS OF SERVICE DESIRED	
DOMESTIC	CABLE
TELEGRAM	FULL RATE
DAY LETTER	DEFERRED
NIGHT MESSAGE	NIGHT LETTER
NIGHT LETTER	SHIP RADIOGRAM

Patrons should check class of service desired; otherwise message will be transmitted as a full-rate communication.

WESTERN UNION

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

CHECK

ACCT'G INFM.

TIME FILED

Send the following message, subject to the terms on back hereof, which are hereby agreed to

R. B. NATHAN
DIVISION OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
1616 FEDERAL RESERVE BANK BLDG.
KANSAS CITY, MISSOURI

LOS ANGELES, CALIFORNIA
DECEMBER 26, 1934

KANMO ARTHUR MUCHOW SERVED WITH SUBPOENA BY USM YESTERDAY

DUNN BES

CHARGE, Gov. Rate, Off. Bus.
Division of Investigation
U. S. Department of Justice

9:15 AM

JCF:T

cc: Division

62-22915

DIVISION OF INVESTIGATION	
DEC 31 1934 A.M.	
U. S. DEPARTMENT OF JUSTICE	
ONE	FILE

THE QUICKEST, SUREST AND SAFEST WAY TO SEND MONEY IS BY TELEGRAPH OR CABLE

CLASS OF SERVICE DESIRED	
DOMESTIC	CABLE
TELEGRAM <input checked="" type="checkbox"/>	FULL RATE <input type="checkbox"/>
DAY LETTER <input type="checkbox"/>	DEFERRED <input type="checkbox"/>
NIGHT MESSAGE <input type="checkbox"/>	NIGHT LETTER <input type="checkbox"/>
NIGHT LETTER <input type="checkbox"/>	SHIP RADIOGRAM <input type="checkbox"/>

Patrons should check class of service desired; otherwise message will be transmitted as a full-rate communication.

WESTERN UNION

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

1206-A

CHECK
ACCT'G INFMN. <i>h</i>
TIME FILED

Send the following message, subject to the terms on back hereof, which are hereby agreed to

Kansas City, Missouri
December 26, 1934

R H COLVIN
DIVISION OF INVESTIGATION
U S DEPARTMENT OF JUSTICE
1331 FIRST NATIONAL BANK BUILDING
EL PASO TEXAS

KANMO USA ADVISES COLVIN'S PRESENCE HERE TWENTY NINTH NECESSARY

NATHAN

RBN:lg

CC Bishop

62-28915

DIVISION OF INVESTIGATION

DEC 26 1934

ONE *R*

WESTERN UNION GIFT ORDERS ARE APPROPRIATE GIFTS FOR ALL OCCASIONS

CLASS OF SERVICE DESIRED	
DOMESTIC	CABLE
TELEGRAM <input checked="" type="checkbox"/>	FULL RATE <input type="checkbox"/>
DAY LETTER <input type="checkbox"/>	DEFERRED <input type="checkbox"/>
NIGHT MESSAGE <input type="checkbox"/>	NIGHT LETTER <input type="checkbox"/>
NIGHT LETTER <input type="checkbox"/>	SHIP RADIOGRAM <input type="checkbox"/>

Patrons should check class of service desired; otherwise message will be transmitted as a full-rate communication.

WESTERN UNION

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEYER
FIRST VICE-PRESIDENT

1206-A

CHECK
ACCT'G INFMN. <i>h</i>
TIME FILED

Send the following message, subject to the terms on back hereof, which are hereby agreed to

Kansas City, Missouri, December 26, 1934

D. M. Ladd
Division of Investigation
U. S. Department of Justice
252 Post Office Building
St. Paul, Minnesota

KANCO AGREEABLE AGENT BRENNAN REPORT KANSAS CITY MORNING DECEMBER

THIRTY FIRST

NATHAN

REM:os

cc - Division

62-28715-

DIVISION OF INVESTIGATION

DEC 28 1934

U. S. DEPARTMENT OF JUSTICE

ONE *[initials]* FILE

POST OFFICE BOX 829
CHICAGO, ILLINOIS

December 29, 1934.

Special Agent in Charge,
Philadelphia, Pa.

RE: CHARLES ARTHUR FLOYD with aliases
(Deceased) et al - CONSPIRACY TO
DELIVER FEDERAL PRISONER.

Dear Sir:

Due to recent developments in the above entitled case, it is not necessary that your office make further efforts to obtain a photograph of T. W. HECOLE, Allentown, Pennsylvania.

Investigation by the San Francisco office has determined that T. W. HECOLE is a brother-in-law of Lee Bevan, the latter being an associate of Irene Dorsey at the time she was confined in the hospital in the latter named city.

Very truly yours,

E. J. CONNELLEY,

Special Agent in Charge.
(Special Assignment)

RCW:JTB

CC Division
CC Kansas City

62-1649

RECEIVED

DEC 31 1934

62-28915	
DIVISION OF INVESTIGATION	
DEC 31 1934 A.M.	
U. S. DEPARTMENT OF JUSTICE	
ONE	FILE

U.S.

POSTAL TELEGRAPH

DIVISION OF INVESTIGATION

CHARGE

CHICAGO ILLINOIS DECEMBER 29 1934
3:45 P.M.

J A DOWD
DIVISION OF INVESTIGATION
U S DEPARTMENT OF JUSTICE
503-a U S COURT HOUSE & P O
SALT LAKE CITY UTAH

KANMO RETEL HAROLD KILLINGSWORTH ETAL FILE HERE CONTAINS INSUFFICIENT
INFORMATION WARRANTING HARBORING CHARGES STOP OKLAHOMA CITY OFFICE ADVISED
FURNISH YOU DIRECT INFORMATION CONCERNING INDIVIDUALS IN QUESTION

PURVIS

RCS:LM
62-1649

CC: Division ✓
Kansas City

RE: VERNON C. MILLER with aliases (Deceased);
RICHARD TALLMAN GALATAS with aliases, I.O. 1201;
CHARLES ARTHUR FLOYD with aliases (Deceased)
CONSPIRACY TO DELIVER FEDERAL PRISONERS

RECEIVED



62-1649-15	
DIVISION OF INVESTIGATION	
DEC 31 1934 A.M.	
U.S. DEPARTMENT OF JUSTICE	
ONE	FILE

CLASS OF SERVICE DESIRED	
DOMESTIC	CABLE
TELEGRAM	FULL RATE
DAY LETTER	DEFERRED
NIGHT MESSAGE	NIGHT LETTER
NIGHT LETTER	SHIP RADIOGRAM

Patrons should check class of service desired; otherwise message will be transmitted as a full-rate communication.

WESTERN UNION

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

1206-A

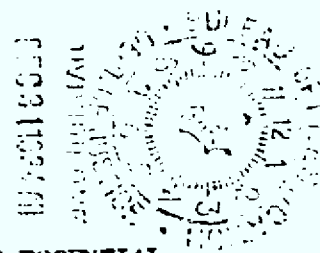
CHECK
ACCT'G INFMN.
TIME FILED

Send the following message, subject to the terms on back hereof, which are hereby agreed to

DB:MMB

OKLAHOMA CITY OKLAHOMA DECEMBER 28 1934

R B NATHAN
DIVISION OF INVESTIGATION
US DEPARTMENT OF JUSTICE
1616 FEDERAL RESERVE BANK BUILDING
KANSAS CITY MISSOURI



KANMO ADVISE IMMEDIATELY IF PRESENCE AGENT F S SMITH ESSENTIAL

THERE TOMORROW

BRANTLEY

Official Business
Gov't. Rate Paid
Charge Div. of Investigation
224 Federal Building

cc Division

62-34115-

DIVISION OF INVESTIGATION	
DEC 31 1934 AM	
U. S. DEPARTMENT OF JUSTICE	
ONE	FILE

WESTERN UNION GIFT ORDERS SOLVE THE PERPLEXING QUESTION OF WHAT TO GIVE

CLASS OF SERVICE DESIRED	
DOMESTIC	CABLE
TELEGRAM <input checked="" type="checkbox"/>	FULL RATE
DAY LETTER	DEFERRED
NIGHT MESSAGE	NIGHT LETTER
NIGHT LETTER	SHIP RADIOGRAM

Patrons should check class of service desired; otherwise message will be transmitted as a full-rate communication.

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

WESTERN UNION

1206-A

CHECK
ACCT'G INFMN. <i>W</i>
TIME FILED

Send the following message, subject to the terms on back hereof, which are hereby agreed to

DB:MMB

OKLAHOMA CITY OKLAHOMA DECEMBER 28 1934

J A DOWD
DIVISION OF INVESTIGATION
US DEPARTMENT OF JUSTICE
503-a US COURT HOUSE & POST OFFICE BUILDING
SALT LAKE CITY UTAH

OKLAHOMA CHICAGO REQUESTED YOU BE ADVISED WHETHER HAROLD KILLINGSWORTH
AND COMPANIONS WANTED THIS DISTRICT STOP NO RECORD THESE INDIVIDUALS UNDER
NAMES FURNISHED WANTED

BRANTLEY

Official Business
Gov't. Rate - Paid
Charge: Div. of Investigation
224 Federal Building

cc-Division ✓

62-25915-

DIVISION OF INVESTIGATION	
DEC 31 1934 AM	
U. S. DEPARTMENT OF JUSTICE	
ONE <i>h</i>	FILE

WESTERN UNION GIFT ORDERS SOLVE THE PERPLEXING QUESTION OF WHAT TO GIVE

CLASS OF SERVICE DESIRED	
DOMESTIC	CABLE
TELEGRAM <input checked="" type="checkbox"/>	FULL RATE <input type="checkbox"/>
DAY LETTER <input type="checkbox"/>	DEFERRED <input type="checkbox"/>
NIGHT MESSAGE <input type="checkbox"/>	NIGHT LETTER <input type="checkbox"/>
NIGHT LETTER <input type="checkbox"/>	SHIP RADIOGRAM <input type="checkbox"/>

Patrons should check class of service desired; otherwise message will be transmitted as a full-rate communication.

WESTERN UNION

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

1204-A

CHECK <i>nbl</i>
ACCT'G INFMN.
TIME FILED

Send the following message, subject to the terms on back hereof, which are hereby agreed to

Kansas City, Missouri, December 28, 1934.

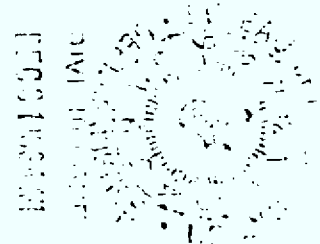
E. E. Conroy
Division of Investigation
U. S. Department of Justice
500 Hector Building
Little Rock, Arkansas

6 KANMO YOUR PRESENCE HERE TOMORROW ESSENTIAL

NATHAN

WCS:os

cc - Division



62-72715-

U. S. DEPARTMENT OF JUSTICE

DEC 31 1934

U. S. DEPARTMENT OF JUSTICE

ONE

WESTERN UNION GIFT ORDERS ARE APPROPRIATE GIFTS FOR ALL OCCASIONS

Room 1403
370 Lexington Avenue
New York, N. Y.

RW:ML
62-4949

SPECIAL DELIVERY
AIR MAIL

December 29, 1934.

Special Agent in Charge,
Kansas City, Mo.

RE: CHARLES ARTHUR "PRETTY BOY" FLOYD,
with aliases (Deceased), et al.
Conspiracy to Deliver Federal Prisoner.

Dear Sir:-

Please advise approximately how long the presence of Special Agent Turren, who is now in Kansas City on subpoena in connection with the above captioned case will be required.

Agent Turren should return to New York at the earliest possible date, inasmuch as his presence in connection with the trial of the Lindbergh case might be necessary.

Very truly yours,

F. X. FAY,
Special Agent in Charge.

cc - Division.

RECEIVED

62-28915
DIVISION OF INVESTIGATION
DEC 31 1934 A
U. S. DEPARTMENT OF JUSTICE
ONE

CLASS OF SERVICE DESIRED	
DOMESTIC	CABLE
TELEGRAM	<input checked="" type="checkbox"/> FULL RATE
DAY LETTER	DEFERRED
NIGHT MESSAGE	NIGHT LETTER
NIGHT LETTER	SHIP RADIOGRAM

Patrons should check class of service desired; otherwise message will be transmitted as a full-rate communication.

WESTERN UNION

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

1204-A CHECK <i>2166</i>
ACCT'G INFMN.
TIME FILED

Send the following message, subject to the terms on back hereof, which are hereby agreed to

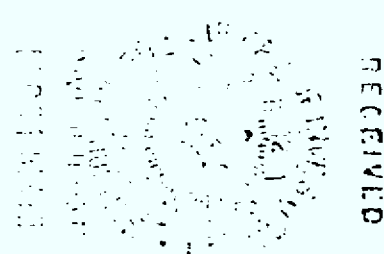
Kansas City, Missouri, December 23, 1934

E. J. Connelly
Division of Investigation
U. S. Department of Justice
1900 Bankers Building
Chicago, Illinois

KANNO MOTIONS TO SUPPRESS EVIDENCE OVERRULED

NATHAN

RMV:os
cc - Division



62-28915
DEC 31 1934
ONE A

WESTERN UNION GIFT ORDERS ARE APPROPRIATE GIFTS FOR ALL OCCASIONS

JOHN EDGAR HOOVER
DIRECTOR

EAT:CDW

Division of Investigation

U. S. Department of Justice

Washington, D. C.

December 28, 1934

Time - 9:20 P.M.

MEMORANDUM FOR THE DIRECTOR

Mr. Nathan.....
Mr. Tolson.....
Mr. Clegg.....
Mr. Egan.....
Chief Clerk.....
Mr. Coffey.....
Mr. Edwards.....
Mr. Egan.....
Mr. Harbo.....
Mr. Keith.....
Mr. Lester.....
Mr. Quinn.....
Mr. Schilder.....
Mr. Tamm.....
Mr. Tracy.....

Mr. Vetterli telephoned me from the St. Louis Office in regard to the developments in the trial of the Nash case and stated that a motion was filed today in behalf of Galatas to return or produce in court all papers signed by Galatas; that is, the waiver of removal, etc. He stated that they also want the order of the Division of Investigation of the Department of Justice to Agents and offices of the Division to bring in Richard Tallman Galatas dead or alive, this being referred to as the "dead or alive" order. He stated that a motion was also filed in behalf of Fritz Galloy in which he states that he was kidnaped by several employees of the Division and taken from Kansas City to Chicago where he was put through a third degree in order to obtain a confession. Mr. Vetterli stated that upon hearing this motion, he got in touch with Fritz and Fritz has orally told him and three Agents all that he knows about the case. Fritz stated that tonight he would think the matter over and talk with his wife about it in order to try to refresh his mind on conversations and incidents which would involve Richetti or Floyd.

I told him that under date of June 5, 1933, the Division directed a letter to the Oklahoma City Office authorizing certain action in connection with the return of Nash to Leavenworth. The Criminal Division believes this to be pertinent, and we have telephoned the Oklahoma City requesting that they forward the original of this letter to Mr. Vetterli. I further informed him that other pertinent data will be forwarded to him tomorrow.

I further told Mr. Vetterli that under date of October 23, 1930 the warden of the Leavenworth Penitentiary addressed a letter to the Special Agent in Charge of the Kansas City Office advising him of the escape of Nash from the penitentiary and requesting his apprehension; that this letter might be of some value.

Respectfully,

E. A. TAMM

1 copy

JAN 1 1935

RECORDED & INDEXED

COPIES DESTROYED

11 AUG 21 1964

62-28915-3414
JAN 2 1935
NATHAN
TAMM
ONE

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT

KANSAS CITY, MO.

FILE NO. 62-826 T.

REPORT MADE AT: Birmingham, Ala.	DATE WHEN MADE: 12-29-34	PERIOD FOR WHICH MADE: 12/15-22-27/34	REPORT MADE BY: D. O. SMITH
TITLE: VERNON C. MILLER, with aliases (Deceased), et al.			CHARACTER OF CASE: CONSPIRACY TO DELIVER FEDERAL PRISONER.

SYNOPSIS OF FACTS:

No record of registration for Chevrolet Sedan Motor #3505199, serial 17074, model 1AC02 in Alabama, Georgia or Southern Division of AUB. Officials will notify Birmingham office in event the automobile is subsequently registered. Jack French received U. S. P. Atlanta, Ga. 1-29-31; transferred to Lewisburg, Pa. 12-14-32, where sentence expired 10-14-34.

R.U.C.

REFERENCE:

Letter from Kansas City to Division dated 12-15-34, with copies to all offices; Letter from Dallas dated 9-5-34.

DETAILS:

AT BIRMINGHAM, ALA.

The Chief Clerk for the Automobile and License Department of the State Tax Commission, Montgomery, Ala., and the Director of the Motor Vehicle Division, State Revenue Commission, Atlanta, Ga., advise that there is no record of registration for 1933 model Chevrolet Sedan, motor No. 3505199, serial No. 17074, model 1AC02, in Alabama and Georgia. Each official advised that a "stop card" has been placed in the files and the Birmingham Division office will be notified immediately in event the automobile is subsequently registered.

The Automobile Underwriters Detective Bureau, Southern Division, National Automobile Theft Bureau, Atlanta, Georgia, advises the records there have been carefully checked and no information relative to the location of the automobile above described was located; that a notation has been made in their files and the Birmingham office will be notified immediately in event any information concerning the automobile is received.

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: <i>J. N. Harman</i>	SPECIAL AGENT IN CHARGE	62-28915-3415	RECORDED AND INDEXED: JAN 2 - 1935
COPIES OF THIS REPORT FURNISHED TO: 3 Division 2 E. J. Connelley P. O. Box 829, Chicago, Ill. 1 Chicago 1 New York 2 Kansas City 2 Birmingham 1 Bureau		UNITED STATES JAN 31 1934 A.M. BUREAU OF INVESTIGATION ROUTED TO: <i>ONE</i> FILE	CHECKED OFF: JAN 3 - 1935 INDEXED:

11 AUG 21 1964

Special Agent W. A. Scott, Jr., conducted the following investigation:

AT ATLANTA, GA.

Inquiry of B. F. Bates, Record Clerk, U. S. Penitentiary, revealed that Jack French, as Homer French, No. 37041, was arrested at St. Petersburg, Fla.; that he was received at the U. S. Penitentiary, Atlanta, Ga. 1-29-31, from Cleveland, Ohio, for using the mails to defraud and for violation of the drug act; that he was transferred to Lewisburg, Pa. 12-14-32, and that his sentence was to end October 14, 1934.

REFERRED UPON COMPLETION TO OFFICE OF ORIGIN.

COPY

EAT:TAM

December 28, 1934.

MEMORANDUM FOR MR. HOOVER
NATHAN
TOLSON
EDWARDS
CLEGG
APPEL
BACKUS
BAUGHMAN
BILLINGS
BRYAN
COFFEY
DOUGLAS
EGAN
FAGAN
FOXWORTH
GLAVIN
HAIR
HARBO
CHAMBERS

HINCH
JOSEPH
LESTER
LISTERMAN
LOWDON
McGARRAGHY
NEWBY
PENNINGTON
QUINN
RENNBERGER
RICHMOND, E. L.
RICHMOND, L. H.
SCHILDER
SKYFARTH
SMITH
TAMM
TRACY
THOMPSON
WARNES

You are advised that the supervision of all ramifications of the Dillinger case is under the supervision in the Chicago area of Mr. E. J. Connelley. In addition, Mr. Connelley is in charge of all investigation in the Chicago area in the Bremer, Kansas City Massacre and T. H. Robinson, Jr. cases. I desire that in so far as is possible, Mr. Connelley should utilize in these cases only the services of those Special Agents who are specifically assigned to him, but I have authorized Mr. Connelley to call upon the Chicago Office for additional aid and assistance whenever such procedure is necessary. Mr. Purvis has been instructed to render to Mr. Connelley any requested aid or assistance.

Very truly yours,

John Edgar Hoover,
Director.

4 copies.

RECORDED

62-28915-3416
JAN 2 1935
RA

THIS CASE ORIGINATED AT

KANSAS CITY, MISSOURI.

62-410-

REPORT MADE AT: DALLAS, TEXAS.	DATE WHEN MADE: 12-27-34	PERIOD FOR WHICH MADE: 12-22-34	REPORT MADE BY: E.J. DOWD.
TITLE: 0 VERNON C. MILLER, w.a. (Deceased); et al.			CHARACTER OF CASE: CONSPIRACY TO DELIVER FEDERAL PRISONER.

SYNOPSIS OF FACTS:

Glen Owens of Albatross, Missouri, states that during June 1933 a man came to his filling station driving Studebaker Automobile and that another man accompanied him, to whom the driver referred as "Farmer".

R. U.O.

REFERENCE:

Division Letter, dated December 5, 1934, addressed to W.E. Owens, Wichita Falls, Texas.

DETAILS:

Assistant Superintendent of Mails, Fort McHam, at Wichita Falls, stated that W.E. Owens lived at 705 Bluff Street, being a veteran of the Spanish American War.

Upon interview, Mr. Owens informed the writer that his son Glen Owens, residing at Albatross, Missouri, on highway No. 66, operated a filling station between March and July 1933; that during June 1933 a man came to the station driving a Studebaker Car in which there was another man who kept referring to the driver as "Farmer"; that after reading an account in the press to the effect that one Herbert Farmer was involved in the Kansas City Massacre, Glen Owens thought that the man "Farmer" might be Herbert Farmer, and related the incident to his father, W.E. Owens, who wrote to the attorney general, at Washington, D.C., on November 22, 1934. W.E. Owens described Farmer as being 30 years of age, 140 pounds, 5' 8", dark hair and eyes.

REFERRED UPON COMPLETION TO OFFICE OF ORIGIN.

COPIES DESTROYED

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: <i>F. J. Berg</i>	SPECIAL AGENT IN CHARGE	62-28915-3417	RECORDED AND INDEXED: JAN 2 - 1935
COPIES OF THIS REPORT FURNISHED TO:		BUREAU OF INVESTIGATION	CHECKED OFF: JAN 4 1935
Division.....3		DEC 31 1934 A.M.	JACKETED:
Kansas City...2		DEPARTMENT OF JUSTICE	
Okla. City.....1		ROUTED FOR	FILE
Dallas.....2		LM.	

UNITED STATES BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT

KANSAS CITY

FILE NO.

62-750

REPORT MADE AT Kansas City, Mo.	DATE WHEN MADE 12-29-1934	PERIOD FOR WHICH MADE 12-20-29-1934	REPORT MADE BY M. C. SPEAR
TITLE CHARLES ARTHUR "PRETTY BOY" FLOYD, with aliases (Deceased) ET AL.			CHARACTER OF CASE CONSPIRACY TO DELIVER FEDERAL PRISONER

SYNOPSIS OF FACTS:

Information obtained and set out herein relative to members comprising petit jury panel for term of Federal Court commencing at Kansas City, Mo., December 31, 1934.

REFERENCE: Division letter dated December 1, 1934.

DETAILS:

The following investigation of members of the petit jury panel for Federal Court at Kansas City beginning December 1, 1934, was made by the following Special Agents:

M. C. Spear; H. E. Anderson; W. F. Trainor; W. E. Miller; A. R. Miller and
T. E. Stokem.

DO NOT WRITE IN THESE SPACES

COPIES DESTROYED

SPECIAL AGENT
IN CHARGE

62-27415-347

RECORDED AND INDEXED
JAN 2 - 1935

1 AUG 21 1935
3-Division
2-U.S. Attorney, Kansas City (Personal and Confidential)
3-Kansas City

UNITED STATES
JAN 2 1935 A.M.

JAN 3 - 1935

BUREAU OF INVESTIGATION

ROUTED TO

FILE

1. W. P. Brown, 4431 Agnes, Kansas City, Missouri; occupation - salesman.

The 1934 directory for Kansas City, Missouri, lists this individual as Whitney P. Brown; wife's name - Elizabeth; this man being the manager of the Cutino Company; his residence being as stated above.

The Cutino Company, dealer in drug sundries, is located at 807 Wyandotte Street, Kansas City, Missouri; Mr. Roy A. Mc Knight being the president; Mrs. Edna Cutino, the vice-president, and Lora M. Ziegler, the secretary-treasurer.

Brown is in the 15th precinct of the 16th ward, and indicated he was in favor of the Citizens Fusion ticket.

None of the men interviewed by Agents Spear or A. R. Miller knew Brown.

.....

W. P. Brown is about 36 years of age; married, and the father of two children. He formerly lived at St. Joseph, Mo., but has been connected with the Cutino Company for more than ten years, and has no known affiliations with the Democratic machine in Kansas City, and has never been active in Democratic politics. He is very set in his way; is inclined to be biased and argumentative. He is known as a high-powered salesman.

This latter information was furnished to Special Agent Andersen by John Kelly, Deputy Sheriff of Jackson County, Kansas City, Missouri.

George C. Chapman, 20 East 72nd Street, Kansas City, Missouri; occupation - adjuster.

The 1934 Directory for Kansas City, Missouri, lists this individual under the above name and address, indicating him as an agent for the Acacia Mutual Life Association, which association is located at 1102 Bryant Building, 1102 Grand Avenue, the Branch Manager being H. I. Bryan.

Chapman is located in the 33rd precinct of the 8th ward, and has indicated himself as a Democrat opposed to the Citizens Fusion ticket.

He was unknown by the individuals interviewed by Special Agents Spear and A. E. Miller.

- C
3. Elmer H. Clark, 3263 Agnes, Kansas City, Missouri, Electrical Company.

The 1934 Directory of Kansas City, Missouri, lists this individual under the above name and address, indicating him as the president of the Crescent Electrical Company at 808 Delaware, Kansas City, Missouri, I. B. Richardson being the secretary-treasurer of this company. Clark's wife's name is Nora.

This individual is in the 2nd precinct of the 16th ward; no information appearing in the National Youth Movement poll record relative to him.

Mr. Ward Gifford stated that Clark is a nice fellow; not a machine Democrat; however, remarked that he is in a business where he has to obtain city permits from the local administration and, accordingly, might be afraid of reprisals if he did anything to antagonize the local administration.

Mr. Homer Paris advised Agent A. R. Miller that Clark was a high type man of good reputation; his politics being unknown to Mr. Paris.

4. Leslie Elberg, 5509 Euclid, Kansas City, Missouri; occupation - clerk.

The 1934 Directory of Kansas City, Missouri, lists this individual under the above name, but lists his present address as 5618 Olive, it being noted that 5509 Euclid is listed as his address in the 1933 Director. His wife's name is indicated as Dorothy, and his occupation as a Post Office Clerk.

His present address is in the 25th precinct of the 15th ward.

No information was available relative to him on the National Youth Movement poll record, and he was unknown to the individuals interviewed by Agents Spear and A. R. Miller.

5. M. B. Evans resides near Calhoun, Henry County, Missouri.
Occupation: farmer.

Evans is about 55 years of age and has spent the greater part of his life in and near Calhoun. He is married and has three grown children. He is comfortably situated and bears a good reputation in the community. He is considered a bit slow and somewhat odd but is recognized as possessing good judgment. He is said to have his own convictions and to be very determined. It is reported that he would make a fair juror, substantial and not subject to influence. In politics he is a Republican though not active.

The foregoing information was furnished to Special Agent H. E. Andersen by Mrs. Mary R. Fewell, Postmaster at Calhoun, Missouri.

6. Albert H. Everett, 3410 Chestnut Street, Kansas City, Missouri; occupation - Kansas City Printers' Exchange.

The 1934 Directory of Kansas City, Missouri, lists this individual under the above name and address, indicating his wife's name as Marie; further indicating that he is vice-president and treasurer of the Kansas City Printers' Exchange, of which the president is Fred Cornell. This Exchange deals in printers' supplies, being located at 714 Baltimore, Kansas City, Missouri.

Everett is in the 22nd precinct of the 14th ward. Although the poll records of the National Youth Movement reflect no information relative to this man, they do indicate his wife, Marie Everett, as a Democrat in favor of the Citizens Fusion ticket.

Mr. Parker, above named, remarked to Agent Spear that in many cases of this type, where the wife is a Democrat in favor of the Citizens Fusion ticket, the husband is opposed to the ticket and is a machine Democrat. Parker did not know Mr. Albert H. Everett.

Mr. Russell Greiner remarked that he believed Everett was above the age limit for jury service, adding, however, that Everett was a good man, a "square shooter" and not a machine Democrat; Greiner having known Everett for about forty years.

Homer Paris advised Agent A. R. Miller that Everett is an excellent man of good reputation, and to the best of Paris' knowledge is not mixed up in any manner with the local political machine. Mr. Paris remarked that Everett is very hard of hearing.

7. J. F. Firestone formerly resided at Collins, St. Clair County, Missouri. Occupation: hardware business.

At the Post Office in Collins, Missouri, it was ascertained by Special Agent H. E. Andersen from Irene Smith, clerk, that J. F. Firestone died at Collins about six months ago.

3. Pearl Frazee (not Frozes) resides near Cleveland, Cass County, Missouri. Occupation: farmer.

Frazee owns and operates his own farm about four miles north of Cleveland. He is about 50 years of age, married and has several grown children. He is described as fair, honest, coming of good stock. He is a Republican though not active in politics. He is said to have plenty of common sense but is given to be a bit radical. Frazee was born and reared near Cleveland and to the informant's knowledge has never been involved in any trouble or scandal whatever. He has a friendly feeling for the Federal Government in its attempt to stamp out crime.

This information was furnished Special Agent H. E. Andersen by George E. Myers, Postmaster at Cleveland, Missouri.

9. Charles R. Fuller, 4528 Chestnut, Kansas City, Missouri;
occupation - sales manager.

The 1934 Directory of Kansas City, Missouri, lists this individual under the above address and name, indicating his wife's name as Helene; further indicating him as the Division Sales Manager of the John Deere Plow Company, which company is located at 1401 West 13th Street, Kansas City, Missouri; M. J. Healey is indicated as the vice-president of this company and general manager; A. W. Tytler being indicated as the Secretary-Treasurer.

Fuller is located in the 16th precinct of the 16th ward, the poll records indicating him as a Democrat in favor of the Citizens Fusion ticket.

All of the individuals interviewed by Agents Spear and A. R. Miller stated that although they did not know Charles R. Fuller himself, generally they knew that he is a young man of about twenty-five years of age and of good reputation. However, they did know that M. J. Healey, officer of the above named company, was very close to the present city administration of Kansas City, Missouri.

.....

10. J. B. Gallagher, 3310 Benton Boulevard, Kansas City, Missouri; occupation - real estate and insurance.

The 1934 Directory of Kansas City, Missouri, lists this man as J. Burns Gallagher, giving his residence address as above, and his wife's name as Myrtle. His business address is indicated as A. E. Gallagher & Son, (apparently J. B. Gallagher is the son) Insurance, Real Estate and Loans at 408-410 Lathrop Building, Kansas City, Missouri.

Gallagher is located in the 23rd precinct of the 14th ward and, according to the National Youth Movement poll records, is a Republican in favor of the Citizens Fusion ticket.

The various individuals interviewed by Agent Spear stated that although they did not know this young man, his father, A. E. Gallagher, is aligned with the Joe Shannon faction of the local Democratic organization; accordingly, they doubted that J. B. Gallagher is actually a Republican in favor of the Citizens Fusion ticket.

.....

Supplementing the information set forth above, Deputy Sheriff Kelly, Kansas City, Missouri, stated to Agent Andersen that J. B. Gallagher is the brother of Roy and Harry Gallagher, who participated in the several election day killings last April. According to Kelly, Gallagher is known and recognized as a strong machine man, intensely interested in furthering its policies. This man would make a very poor choice as a juror, according to Kelly.

.....

11. Frank Hageboeck resides near Montrose, Henry County, Missouri.
Occupation: farmer.

Hageboeck is about 50 years of age and unmarried. He is a well-to-do farmer, residing on a farm about three miles south and a half mile east of Montrose. He is an easy going type of individual and would make an impartial juror. He is not well read and his intelligence is that of the average farmer. His reputation is good and it is said that he would, if called for jury service, do what he believed to be the right thing. This man is a Democrat though not active in politics, according to the informant. Hageboeck is not a member of the Kansas City Democratic machine.

The foregoing information was furnished to Special Agent H. E. Andersen by G. S. Elliston of Montrose, Missouri.

12. F. D. Hamilton, Liberty, Missouri, Clay County. Occupation: banker.

This man is 55 to 57 years of age, said to be a strong organization Democrat with a definite connection in the Kansas City Pendergast political machine. He is a banker at Liberty, Missouri, and is unmarried. He is said to be "quite a rounder" in his private life although in his business dealings is known to be entirely honest and capable. He is said to be a very assertive opinionated individual and in the recent senatorial election he strongly supported Senator-elect Truman. He is said to be a bitter enemy of Tuck Milligan, who ran for the Senate and that there is ill feeling existing between him and Maurice M. Milligan, the United States Attorney. He was reared at Liberty, Missouri.

The above information was secured from Walter Manley, Postmaster at Liberty, Missouri, who stated that personally he is a friend of Hamilton.

The above information was secured by Special Agent W. F. Trainor.

13. Claude L. Harding, 7708 Locust, Kansas City, Missouri;
occupation - investments.

The 1934 Directory of Kansas City, Missouri, lists this individual under the above name, however, giving his residence as 6708 Locust; his wife's name as Geneva E.; his occupation as vice-president of the Schutzel-Harding Investment & Building Company, of which Emil J. Schutzel is the president.

Harding is located in the 26th precinct of the 8th ward. The National Youth Movement poll records reflect no information relative to him.

Mr. Gifford stated that Harding was O. K. socially and in business; however, Mr. Gifford called attention to the fact that Harding was in a business which would make it necessary to ask favors of the local administration in having curbs out and the like and, accordingly, might be afraid to incur the enmity of the local administration in any manner.

Agent W. E. Miller ascertained from the Hooper-Holmes Bureau, insurance investigators, that this individual is presently forty-two years of age; that in March, 1934, while residing at 810 East 63rd Street, Kansas City, Mo., he applied for \$11,000.00 worth of insurance through the Kansas City Life Insurance Company. The papers of these bureaus were destroyed, however, Agent Miller was advised that they same all reflected favorably of Harding.

14. W. V. Hermon, Rich Hill, Bates County, Missouri. Occupation:
farmer.

Hermon is about 55 years of age, married and has a family. He owns a farm on which he resides which is located about nine miles east of Rich Hill. This individual moved to his farm from Kansas City, Kansas, or Missouri, where he was formerly connected with some cement plant. The informant, whose name will be given later, has had business dealings with Hermon and always found him fair. Informant considers Hermon above the average in intelligence for a farmer and is very shrewd trader. It is believed that he would make a good impartial juror as he has no political entanglements which would cause him to be influenced one way or another. It should be observed that Hermon may have been connected in Kansas City, Missouri, with a cement company owned and operated by T. J. Pandergast.

The foregoing information was furnished to Special Agent H. E. Andersen by Earl F. Wiek, Postmaster at Rich Hill, Missouri.

15. W. A. Hire, Blue Springs, Jackson County, Missouri.
Occupation: insurance and loans.

Hire is about 28 to 30 years of age, married but has no children. He was assistant cashier of the Citizens State Bank, Blue Springs, Missouri, until a year or so ago when all the banks in that town were joined together. He was with the new bank for only a short time. Since last spring he has been engaged in the insurance and loan business, has been studying law for about one year in the Kansas City School of Law, is in very poor financial circumstances and is very strong for the Kansas City Democratic organization and very active politically, however, his honesty and integrity are unquestioned. He is well liked and very popular, is considered a man of good business judgment and is active in Masonic circles.

This information was furnished to Special Agent T. E. Stakem by Harry E. Carel, Postmaster, Blue Springs, Missouri.

16. J. Hoke, Lees Summit, Jackson County, Missouri. Occupation:
Assistant Cashier, Bank of Lees Summit.

This individual is about 23 years of age, married but has no children. He was born and reared in Lees Summit and comes of good parentage. He has been connected with the Bank of Lees Summit since shortly after he graduated from high school four or five years ago. He is described as clean cut, quiet, energetic and fair. He is not identified in politics and, according to the informant, would not be subject to influence of machine politics. He is described as being level headed and broad minded, suitable as a juror in any case. He has never been in trouble.

This information was furnished to Special Agent H. E. Andersen by Ione C. Ritter, Postmaster at Lees Summit, Missouri.

17. John G. Holmes, 5826 Locust, Kansas City, Missouri;
occupation - proof reader.

The 1934 Directory of Kansas City, Missouri, lists this individual under the above name, however, giving his residence as 3825 Terrace, it being noted, however, that the 1933 Directory gives his address as 5826 Locust. His wife's name is indicated as Lucretia; his occupation as a proof reader for Smith-Grievess Company, of which Harold Smith is the president; Lawrence E. Smith the vice-president; Alois M. Kleinhoffer, the general manager, and George J. Smith the secretary-treasurer; the place of business being 1701 Washington Street, Kansas City, Missouri. It is noted that this individual is employed by the same group of men as Clarence Lavery, indicated as No. 19 among the jury panel.

Holmes resides in the 18th precinct of the 5th ward; no information being available on the National Youth Movement poll records relative to him.

Mr. Greiner advised that the Smith-Grievess Company is very friendly with the local city administration and the Chamber of Commerce, doing considerable city business. The politics of Mr. Holmes is not known to the individuals interviewed by Agents Spear and A. R. Miller.

Mr. Homer Paris also remarked to Agent Miller that the Smith-Grievess Company has a definite connection with the local Democratic machine, and this company was believed to receive the envelope business of the city through the present administration.

.....

Deputy Sheriff John Kelly of Kansas City, Missouri, advised Agent Andersen (through a confidential informant) that he had received information to the effect that Holmes is about 35 years of age, of clean type and studious. He is known by his associates as being somewhat reticent; has never discussed city politics with those known to the informant.

.....

18. J. G. Hoover, 3232 Benton Boulevard, Kansas City, Mo.;
occupation - motor car dealer.

The 1934 City Directory lists this man under the name of James G. Hoover, address as above; his wife's name as Edna W.; his occupation as president of the Jackson Motors, Inc., 2705-2709 East 15th Street, Kansas City, Missouri. Lee S. Johnson is indicated as the vice-president of this company and Thomas A. J. Mastin as the secretary-manager.

The City Directory indicates the above named Mastin as probably being the son of the late Prosecuting Attorney of Jackson County, Missouri, of that same name, rather than the elder Mastin himself.

Hoover resides in the 20th precinct of the 14th ward; no information being available relative to Hoover on the National Youth Movement poll records.

Deputy Sheriff John Kelly of Kansas City, Missouri, informed Agent Andersen that Hoover was a man about fifty years of age; married; wealthy; with some children, being a partner of Sheriff Tom Bash in the construction business. He is a Republican and of very good reputation.

Special Agent W. E. Miller ascertained from the Hooper-Holmes Bureau and the American Service Bureau, insurance investigators, that this individual is about fifty years of age; that in December, 1929, while residing at his residence address given hereinbefore, he had applied for \$15,000.00 worth of accident and health insurance in the Aetna Insurance Company. At that time his occupation was that of a paving contractor. His name is given as James Gerfield Hoover.

.....

19. Clarence Lavery, 726 East 72nd Street, Terrace, Kansas City, Missouri; occupation - superintendent.

The 1934 Directory of Kansas City, Missouri, lists this individual under the above name and address, indicating his wife's name as Garrata; his occupation as Superintendent of the Western Envelope Company, 1701 Washington Street, Kansas City, Missouri, of which Harold Smith is the president; Lawrence E. Smith the vice-president and George J. Smith the secretary-treasurer.

It will be noted this individual is employed by the same group of officers as John G. Holmes, No. 17 on the jury panel.

Lavery resides in the 34th precinct of the 8th ward and according to the National Youth Movement poll records is an Independent in politics and in favor of the Citizens Fusion ticket.

Agent Andersen was advised by Deputy Sheriff Kelly that this firm, the Western Envelope Company, does a lot of printing in behalf of the local administration and, hence, the officers of the firm must be lined up right. The same comments will be noted under John G. Holmes, juror No. 17.

Deputy Sheriff John Kelly further advised Agent Andersen that Lavery is known as a "small time" Democratic politician; he talks too much; this individual, according to Kelly, is not worthy of confidence, and in his opinion would not be a suitable juror.

80. Walter McCue, Pleasant Hill, Cass County, Missouri.
Occupation: farmer.

McCue farms on his own place about seven miles southeast of Pleasant Hill. He is the father of a court reporter in the court of Circuit Judge Leslie Bruce at Harrisonville, Missouri. He is about 50 years of age, fair and dependable. He would make, according to Circuit Judge Bruce, a fair and impartial juror. The Judge described him as possessing plenty of common sense and an open mind.

As a matter of information it should be pointed out that prior to a year ago the Postmaster at Pleasant Hill cooperated with the Government in an attempt to locate a nephew of McCue who is wanted for some Federal violation of the law. In that connection several calls were made to the home of McCue in an effort to locate the fugitive.

The foregoing information was furnished to Special Agent H. E. Andersen by Postmaster Frank L. Mertsheiner and Circuit Judge Leslie Bruce, both of Pleasant Hill, Missouri.

81. Jesse L. Martin, Independence, Jackson County, Missouri, Mo.
Occupation: hardware and plumbing.

Martin is between 50 and 55 years of age, married and a former Postmaster. He is considered to be a man of good business standing and to have excellent judgment. He now operates a hardware and plumbing establishment in Independence, Missouri, and has been so occupied since he was Postmaster. He is in average circumstances financially, very active politically, is one of the local Republican leaders and is considered to be more or less of the politician type although he is well spoken of in Independence.

This information was furnished to Special Agent T. E. Stakem by Herman H. Reick, Postmaster, Independence, Missouri.

22. C. O. Maxwell, Lees Summit, Jackson County, Missouri.
Occupation: insurance and real estate dealer.

Maxwell is about 55 years of age, married, but has no children. His wife is well-to-do and with him has lived in Lees Summit since they were children. He is not now active in politics although at one time he was alderman on the Democratic ticket. He is considered of good repute and is not believed to be close to the Kansas City machine. He is a slow, easy going type of individual and has never been involved in any scandal. He has always stood for law enforcement and is considered a substantial citizen. The informant, whose name will be mentioned later, has never heard him discuss the Kansas City massacre case.

This information was furnished to Special Agent H. E. Andersen by Ione C. Ritter, Postmaster at Lees Summit, Missouri.

23. Claude A. Mays, 4117 Prospect, Kansas City, Missouri;
occupation - salesman.

The 1934 City Directory of Kansas City lists this individual under the above name, however, indicating his address as 4147 Prospect; his wife's name as Katie, and his occupation as salesman, not indicating the name of his employer.

He resides in the 10th precinct of the 16th ward.

No information is available relative to him on the National Youth Movement poll records, and he is unknown to the individuals interviewed by Agents Spear and A. B. Miller.

24. George L. Mullins, Miami, Saline County, Missouri. Occupation: farmer.

Mullins is about 65 years of age, resides on his 130 acre farm located six and a half miles from Miami, Missouri. His wife died recently. He has one son who presently resides in New York City. Mullins has been a resident of Saline County, Missouri, all his life, is considered to be an honest, hard working farmer and an energetic man despite his age. Mullins is in moderate circumstances, considered to be reputable citizen and a man of good common sense and judgment. He has frequently been called for jury services, is active in local political circles and has been a staunch Republican all his life.

This information was furnished to Special Agent T. E. Stakem by Ernest Hiale, Postmaster, Miami, Missouri.

25. Oran E. Owen, 3450 Olive Street, Kansas City, Missouri;
occupation - clerk.

The 1934 City Directory of Kansas City lists this individual
under the above name, however, indicating his address as
3540 Olive; his wife's name as Lillian, and his occupation
as a Cashier for the C. M. St. P & P. R. R.

He resides in the 17th precinct of the 13th ward; however,
no information is available concerning him on the National
Youth Movement poll records, and he is unknown to the
individuals interviewed by Agents Spear and R. Miller.

25. Edward Park, Arrow Rock, Saline County, Missouri. Occupation: farmer.

Park is 60 years of age, has resided in Arrow Rock, Missouri, all his life. He lives in town but owns and cultivates an 80 acre farm outside the town limits. He is married but has no children, is financially independent, bears an excellent reputation in Arrow Rock, is a Deacon in the Baptist Church, is considered to be a man of sound judgment, is fair and impartial in all his transactions. The Park family are considered to be civic leaders, socially and politically active. He is a registered Democrat but is more or less progressive in his political activities. He is a leader in his community and is of unquestionable honesty and integrity.

This information was furnished to Special Agent T. E. Stakem by Mrs. Lucia Waldon, Postmaster, Arrow Rock, Missouri.

27. William H. Pevestorff, Higginsville, Missouri, Lafayette County.
Occupation: contractor.

This man is about 60 years of age. He is married and has a family of three children who are full grown. One of his daughters is a teacher in Higginsville grade school, another daughter is a stenographer at Higginsville, working for the Farm Bureau which position she has held for the past six years. The Farm Bureau is operated under the authority of the State of Missouri with Federal aid. This man is a brick mason and construction contractor by occupation and has, of course, made bids and secured jobs from the State and municipalities in this connection in the past although it is not known that for the past three or four years he has had such construction jobs. He was foreman for the CMA in Higginsville during the winter of 1933 and is said to have employed his own trucks and other equipment at a great profit to himself. He is known as a man of rather stubborn tendencies. He is a German by ancestry. He is not a man of great means nor is he considered penniless. He owns his home at Higginsville which is of moderate value and his total worth is between five and ten thousand dollars. He has never held any political position as could be determined. He is a Republican in politics and is considered entirely honest in his intentions but is quite frugal and grasping. He is considered an ungrateful person and does not lean towards his friends readily who have done him favors.

The above information was secured from Postmaster George Scott of Higginsville, Missouri, who has known Pevestorff for 25 or 30 years and who is at present not on the most friendly terms with him, however, he knows all information concerning this man's past.

The above information was secured by Special Agent W. F. Trainor.

28. E. B. Rowland, 4001 Prospect, Kansas City, Missouri;
occupation - farmer.

The 1934 City Directory of Kansas City lists this man as
Homer B. Rowland, his residence as above; his wife's
name as Sarah.

He resides in the 8th precinct of the 16th ward and,
according to the National Youth Movement poll records, is
a Democrat. He is unknown to the individuals interviewed
by Agents Spear and A. R. Miller.

29. J. C. Scott, 3500 Montgall, Kansas City, Missouri;
occupation - buyer.

The 1934 City Directory of Kansas City lists this man as John C. Scott at the above address; his wife's name being Edna E.

He resides in the 1st precinct of the 16th ward; no further information being available relative to him on the National Youth Movement poll records.

Mr. Gifford stated that from superficial knowledge, he believes this man to be all right.

30. Ralph S. Scott, 5002 Euclid, Kansas City, Missouri,
occupation - laundryman.

The 1934 City Directory of Kansas City lists this man under the above name and address; his wife's name being Dena; his occupation being given as that of salesman for the Aines Farm Dairy Company, 3110 Gilham Road, Kansas City, Missouri.

He resides in the 14th precinct of the 15th ward; no other information being available relative to him on the National Youth Movement poll records.

Altho he is unknown by the individual interviewed by Agents Spear and A. R. Miller, these men called attention to the fact that most milk companies in Kansas City, Missouri, are, due to their business, aligned closely with the city administration; their business requirements making such alignment necessary.

31. Hubert I. Shelton, 2015 Lafayette Street, North Kansas City, Missouri, Clay County. Occupation: clerk.

Information was not available from any individual who could be safely interviewed at North Kansas City regarding Shelton. He was not known at the Post Office to any of the clerks and the postal records do not list him as residing in North Kansas City.

Investigation made in a casual manner without disclosing the purpose thereof at 2015 Lafayette Street developed that Shelton rooms at that house, which is a very respectable looking residence. It was determined in that manner that Shelton works as a clerk for the Crown Drug Company at North Kansas City.

Agent went to the Crown Drug Company for the purpose of observing Shelton, if possible, since it was determined that he was then at work and the number of clerks who were on duty were all young men of about 25 years of age. It did not appear that any further check at North Kansas City would be advisable. It was apparent, however, that this individual is not a prominent citizen and from the position he holds he is not possibly employed through any political favors.

It might be possible to secure a more detailed account of this individual from the personnel manager of the Crown Drug Company at Kansas City, however, this has not been done for the reason that such a direct approach is not deemed advisable.

The above investigation was conducted by Special Agent W. F. Trainor.

32. F. M. Story, 1968 East 72nd Street, Kansas City, Missouri;
occupation - contractor.

The 1934 City Directory for Kansas City, Missouri, lists this
man as Francis M. Story; wife's name - Clara E.; occupation -
contractor; residence as above.

He resides in the 34th precinct of the 15th ward; no informa-
tion being available relative to him on the National Youth
Movement poll records.

Mr. Mc Cutcheon advised Agent Spear that through contact with
one of the solicitors with his company, who had formerly sold
merchandise to Story, he understood that Story was about the
average man, nothing being known to indicate his alignment
with the local administration.

33. S. Irwin Thompson, 5605 Rockhill Road, Kansas City, Missouri;
occupation - bookkeeper.

The 1934 Directory of Kansas City, Missouri, lists this individual under the above name and address, his wife being indicated as Eula S; his occupation as bookkeeper for the Arctic Dairy Products Company, 415 West 16th Street, Kansas City, Missouri, Joseph J. Mc Gee being president of this company; Lloyd B. Shafer, vice-president; James M. O'Bryan the secretary, and Richard J. O'Meara the treasurer.

This individual resides in the 24th precinct of the 6th ward; no information being available relative to him on the National Youth Movement poll records.

Although this individual is unknown to the men interviewed by Agents Spear and A. R. Miller, various of these men advised that they knew the officers of the above named company were closely connected with the local city administration.

T. R. Thompson, 5602 Michigan, Kansas City, Missouri;
occupation - salesman.

The 1934 Directory of Kansas City, Missouri, lists this individual under the name of Theodore R. Thompson, residence address as above; wife's name Mattie; occupation - salesman.

It should be noted that there is listed in the 1934 Directory a second individual of the same identical name, Theodore R. Thompson, the man, however, being the manager of the R K O Pathé Distributing Company, and resides at 445 East 72nd Street, Kansas City, Missouri.

This second man is mentioned in order that there will not be confusion. It would appear that the individual first mentioned is the man on the jury panel, in view of the residence and occupation given for him above.

Thompson resides in the 23rd precinct of the 15th ward; no information being available on the National Youth Movement poll records relative to him. He is not known by the individuals interviewed by Agents Spear and A. R. Miller.

.....

35. J. Wentworth Tyler, Aullville, Missouri, Lafayette County.
Occupation: farmer.

This individual is a man of about 60 years of age and is considered a good, honest farmer. He has lived near Aullville for many years and is related to the Postmaster, Mrs. Mattie McKay at Aullville. The maiden name of Mrs. McKay was determined to have been Ensign. Her family was quite prominent in that rural community. She has held the position of Postmaster for the past ten years indicating that she was probably given that position under a Republican administration. It is said that Tyler is not in any way active in politics and that he is not wealthy. It has never been heard that he has had any trouble according to the party interviewed.

The above information was secured from Postmaster Scott of Higginsville, Missouri, which is within seven miles of Aullville, and no local inquiries were made at Aullville due to the fact that the town consists of only a store and the Post Office.

The above information was secured by Special Agent W. F. Trainor.

36. P. E. Waite, Hardin, Missouri, Ray County. Occupation: salesman.

Mr. Waite is a resident of Hardin, Missouri, but has been unemployed for the past three years, having formerly worked as station agent for a railroad company at Bosworth, Missouri. He lives with his father-in-law, J. E. Brunsworth, who is a farmer at Hardin. He is somewhat interested in local politics and is a close friend of one W. R. Willis, who is now the station agent for the Wabash Railroad Company at Hardin, Missouri. Waite recently secured a political position in the office of the Secretary of State at Jefferson City, Missouri, which was a temporary job and lasted for about three months. Willis, who is quite strong politically, is said to have secured that position for him. It was said by the informant that Willis is an active opponent of Tuck Milligan, the brother of the United States Attorney, and that in the recent senatorial campaign Waite was also very active in opposing Milligan and that he bears enmity toward Tuck Milligan.

This individual is about 42 years old. He is a quiet and reserved type of individual and is thought to be quite loyal to his friends and swayed by convictions of this kind. There is no indication that he is friendly with criminals or that he has ever had any trouble.

The above information was secured from Mrs. Charline F. Gardner, Postmaster at Hardin, Missouri.

The above information was secured by Special Agent W. F. Trainor.

37. Cecil W. Wilson, 4110 Montgall, Kansas City, Missouri,
Kansas City, Missouri; occupation - salesman.

The 1934 Kansas City, Missouri, Directory lists this man under the name and address given above; his wife's name Ruth E; his occupation as that of salesman for the Electric Storage Battery Company, 129 South Belmont Blvd., Kansas City, Mo., of which J. D. Fischer is the manager, and Leigh Hamilton is the superintendent.

Wilson resides in the 10th precinct of the 16th ward; no information is available relative to him on the National Youth Movement poll records, and he is unknown to the individuals interviewed by Agent Spear. However, Mr. Homer Paris advised Agent A. R. Miller that he knew Wilson as a very fine man, a good churchman, and it is Paris' belief that Wilson is a Republican, altho he is not positive of this political affiliation.

.....

38. H. S. Wintermute, Grandview, Missouri, Jackson County.
Occupation: owner of Wintermute Motors Company, Plymouth and
Dodge Dealers.

This individual is about 55 years of age, married and has three daughters. He was born and reared near Grandview and has been in the garage business for many years. He is politically allied with the Truman, Shannon and Pendergast organization at Kansas City and because of this political connection secures business from county employees, as well as the county. He is well respected in Grandview and is considered one of its most substantial citizens. The informant, whose name will be mentioned later, advised that he believes Wintermute would make an honest juror notwithstanding his political alignment. The informant had never heard Wintermute discuss the Kansas City massacre or the case against former Director of Police Reppert, George Rayen and Thomas J. Higgins, who are charged with perjury in Federal Court.

The foregoing information was furnished to Special Agent H. E. Andersen by V. P. Reid, Postmaster at Grandview, Missouri.

39. John N. Wrong, 5642 Paseo, Kansas City, Missouri; occupation - inspector.

The 1934 City Directory lists this individual under the above name; however, indicating his residence as 3502 Broadway. It is noted that the 1933 Directory lists his address as 5642 Paseo; his wife's name is indicated as Lottie, and his occupation as an inspector with the Western Weighing and Inspection Bureau, located at 1600 Genesee, Kansas City, Missouri.

He resides in the 22nd precinct of the 15th ward; no information being available relative to him in the National Youth Movement poll records.

Mr. McCutcheon stated to Agent Spear that although he did not know Wrong's political affiliations, he had no knowledge of any political connections which Wrong had which would connect him with the local Democratic machine.

40. T. D. Wyatt, Grain Valley, Jackson County, Missouri.
Occupation: farmer.

Wyatt is 30 years of age, owns a large farm four miles northeast of Grain Valley, is married and has one grown son. He has been a resident of Grain Valley all his life. He is financially independent, considered to be a man of very good character and possesses good judgment, is well thought of in that town, has always been a liberal minded man and an officer in the local Masonic Lodge. He is a registered Democrat but is against the Kansas City organization although he is not active politically. He is reputed to be respected and well liked by all who know him.

This information was furnished to Special Agent T. E. Staker by G. N. Houston, Postmaster, Grain Valley, Missouri, and Harry E. Carel, Postmaster Blue Springs, Missouri.

PENDING

Division of Investigation
U. S. Department of Justice
1616 FEDERAL RESERVE BANK BUILDING
KANSAS CITY, MISSOURI
DECEMBER 26, 1934.

Mr. Nathan	✓
Mr. Tolson	
Mr. Clegg	
Mr. Baughman	
Chief Clerk	
Mr. Coffey	
Mr. Edwards	
Mr. Egan	
Mr. Harbo	
Mr. Keith	
Mr. Lester	
Mr. Quinn	
Mr. Schilder	
Mr. Tamm	✓
Mr. Tracy	

AIR MAIL

Director
Division of Investigation
U. S. Department of Justice
Pennsylvania Avenue at 9th Street, N.W.
Washington, D.C.

Dear Sir:

RE: CHARLES ARTHUR FLOYD with aliases
(Deceased), ET AL
CONSPIRACY TO DELIVER FEDERAL PRISONER

With reference to my letter of December 24, 1934 and telegram of the same date concerning a motion filed by attorneys representing Galatas to suppress evidence allegedly taken through illegal means, I am transmitting herewith to the Division, and to offices receiving copies of this letter, copies of the motion filed in behalf of Galatas and of a similar motion filed on behalf of Mrs. Galatas.

Demurrers to the indictment were argued before Judge Otis on December 26, 1934 and at the conclusion of the arguments he indicated that he would probably render an opinion by December 28, 1934. The hearing of the motion to suppress evidence will be had at 9 o'clock on Saturday, December 29, 1934.

As stated in my telephone conversation of December 26, 1934, with Mr. Tamm, the United States Attorney feels that all Agents mentioned in the motions to suppress should be in Kansas City for the purpose of refuting any testimony which might be given by the Galatas. He was informed of the impracticability of this procedure but stated that he felt that it could not be properly handled otherwise, and is issuing subpoenas for the presence of those Agents not already under subpoena to be here.

I am informed that the matter will be discussed privately with Judge Otis on December 27, 1934 in an effort to obtain his reactions to the propriety of the motion and his probable ruling on it. The Division will be immediately advised of any information received from the United States Attorney relative to this conference.

RECORDED & INDEXED
Very truly yours,

R. B. Nathan
R. B. NATHAN
SPECIAL AGENT IN CHARGE

REN:os
Encls.

cc - Chicago - Oklahoma City - New Orleans (All Air Mail)

62-22115-3419
ONE OR

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA
Plaintiff

Vs.

RICHARD TALLMAN GALATAS,
alias Dick Galadis,
alias Pritchard Sheridan,
HERBERT ALLEN FARMER,
alias Herbert Black,
alias H. A. Patton,
alias J. H. Williams,
ESTHER FARMER,
FRANCES FARMER,
alias Frances Miller,
alias Frances Harrison,
FRANK B. MULLOY,
alias Fritz Mulloy,
LOUIS STACEY,
alias Doc Stacey,
ELIZABETH GALATAS,
alias Betty Mc Padden,
alias Mrs. Glenn Morris,
VIVIAN HAYES,
alias Vivian Page
alias Clara Hays,

No. 12,698

Defendants

..... 62-1712-47
MOTION AND PETITION OF RICHARD TALLMAN GALATAS, DEFENDANT
TO SUPPRESS EVIDENCE ILLEGALLY OBTAINED AND INTENDED TO
BE USED UPON THE TRIAL OF THE ABOVE ENTITLED CAUSE.

COPIES DESTROYED
11 AUG 21 1964

AND NOW COMES RICHARD TALLMAN GALATAS, one of the Defendants in
the above entitled cause, in his own proper person, and moves and
petitions this honorable court to suppress certain evidence, of a

written and oral nature, illegally and lawlessly obtained, that is to say, in violation and complete abandonment of the said defendant's rights as guaranteed to him by the Constitution of the United States of America, and Amendments thereto, and in violation and complete abandonment of the laws of the United States of America, which said evidence, of a written and oral nature, the defendant is informed and sincerely believes will be used against him on the trial of the above entitled cause, and in support of said motion and petition, says and shows as follows:

(1) that he is a citizen of the United States of America.

(2) that the evidence, written and oral, or verbal, which he seeks to have suppressed was illegally and lawlessly obtained, by the persons and in a manner hereinafter to be described, from a period beginning with the 22nd day of September A.D. 1934 to and including the 29th day of October A. D. 1934.

(3) that on the 22nd day of September A. D. 1934 he maintained places of residence and business in the City of New Orleans, Louisiana, his said business being that of agent for the LIQUID COLOPHANE CORPORATION, of Seattle, Washington.

(4) that while he was lawfully pursuing his said business, and on the 22nd day of September A. D. 1934, in said city of New Orleans, Louisiana, while and at the time the said defendant was present in his own office, he was illegally, unlawfully and unauthorizedly arrested, by several agents or officers in the employ of the Division of Investigation, Department of Justice of the

United States of America, that the names of the said agents or officers were: DAVID McGEER, and an agent or officer by the name of Blake, whose first name is to your petitioner unknown and that at the time of said arrest the said agents or officers had no legal warrant or authority for the arrest of the petitioner, or that if they had one, such fact was not disclosed to the petitioner or shown to him or brought to his knowledge; and that the wife of your petitioner was arrested at the same time, place and manner.

(5) that after their said unlawful and unauthorized arrest the defendant and his wife were removed by the aforesaid agents or officers from the place of business of defendant petitioner to the Federal Building in the City of New Orleans, Louisiana on the same day of their said unlawful arrest.

(6) that at the said time and place, for the purpose of securing a confession from the petitioner the aforementioned agent or officer BLAKE (whose Christian name is unknown to your petitioner) after said unlawful and unauthorized arrest threatened and intimidated petitioner by saying to him in a threatening and menacing manner: "You are lucky I did not kill you as I promised my cousin (F. J. LACKY, also an employe or agent in the Division of Investigation, Department of Justice, and who was wounded in the "Kansas City Massacre") I would kill you on sight," by reason of which threat and intimidation the petitioner became and was in fear of his life and safety.

(7) that thereafter, the petitioner and his wife were unlawfully, unauthorizedly, lawlessly and clandestinely taken to the private apartment of the aforesaid agent, DAVID MCGEE, from the Division of Investigation, Department of Justice, which said private apartment was located in an apartment building known as the MAY-FAIR APARTMENTS; that this was done for the prevailing and obvious purpose of securing a confession or statement in the nature of a confession from the defendant; that the said removal to the said private apartment of the agent was done for the declared purpose of letting no one know the whereabouts of the said defendant petitioner; that the same was done under protest of the petitioner and without his consent.

(8) that prior to the removal of the petitioner to the said apartment, subsequent to his unlawful and illegal arrest, certain oral statements and conversations were had between the petitioner and the agents aforesaid after petitioner had demanded but was denied his constitutional rights, all of which are by this motion and petition sought to be suppressed for having been illegally and unlawfully obtained.

(9) that thereafter, that is to say, after the said illegal and unauthorized arrest, and during the period beginning with the 22nd day of September A.D. 1934 and for five (5) days thereafter, two (2) written statements in the nature of confessions and numerous oral statements in the nature of confessions were

unlawfully and illegally obtained and taken from the petitioner while incarcerated in the said private apartment of the agent aforesaid or in the offices of the department of justice by the infliction of extreme mental and physical cruelty and by degenerately vicious and violent "third degree" torture described as follows:

- (a) for a period of five (5) days petitioner was denied sleep and rest and was not permitted to lie down at any time;
- (b) given no food first day and practically none thereafter for the said five (5) days;
- (c) curtains were drawn in the private apartment all during the said period and no one was allowed to know where petitioner was or even know that he was under alleged arrest;
- (d) petitioner was threatened with death frequently;
- (e) petitioner was confronted with an armed display and brandishing of revolvers;
- (f) sat on a chair, manacled, against the wall;
- (g) mercilessly questioned, grilled and interrogated for long, continuous hours by armed officers after being verbally assaulted, profaned, struck, cursed and while suffering agonizing pains of hunger and mental distress;
- (h) revolvers pointed at petitioner and his wife throughout (five (5) day period);
- (i) almost every night petitioner at about ten o'clock would be forcibly removed from the said private apartment to the offices of the Department of Justice under armed guard, walking up stairs, and without letting the wife of petitioner know where he was being taken, and without advising petitioner where he was being taken, and returned to the said apartment at daybreak each morning;

(j) during which time petitioner was threatened and menaced as follows: Agents said: "You are going to tell us what we want to know"; "You haven't any rights and you are not going to have counsel until we finish with you"; "We are going to get the story one way or another"; "I ought to kill you now"; "You are going to tell us all we want to know"; "you are making it tough on yourself by not telling us"; "You could easily be found dead on the street and all we would have to say is you tried to run"; was told that a "team" was coming to "get" the story if he didn't give it; that while statements were being drawn petitioner protested that his answers were not being recorded or were being re-worded to suit the desires of the agents, he was told: "You're lucky you're alive, it's not too late"; that the latter statement as well as the others were made numerous times and all for the prevailing purpose of securing a statement or conversation in the nature of a confession from the petitioner;

- (k) was held incommunicado;
- (l) denied bail;
- (m) denied right to be taken promptly before a United States Commissioner, or Judge and denied right to be placed in custody of the United States Marshal or lodged in a formal place of detention for the United States prisoners;
- (n) denied counsel
- (o) that said agents held out inducements to the petitioner and said: "You can make it easy on yourself."
- (p) the wife of the petitioner was unlawfully held, intimidated, threatened, and improperly treated in petitioner's presence,

and that all of the above and foregoing were but a few of the many acts of misconduct on the part of the said agents which were in violation of law and in complete abandonment of the right of the

- 7 -

petitioner and done in furtherance of a desire and scheme on the part of the said agents to compel petitioner to make oral and written statements in the nature of confessions against himself and against his interest, which said oral and written statements after being so taken, petitioner believes will be used against him upon the trial of the above entitled cause in violation of petitioner's rights guaranteed to him by the laws of the United States of America, and by the Constitution of the United States and the Amendments thereto.

(10) That the names of the said agents or officers participating in all of the aforesaid are: DAVID Mc GEE, DWIGHT BRANTLEY, HAROLD E. ANDERSON, R. C. SURAN, and agents or officers BLAKE, ROSEN, PICKETT, KINDELL, KINGMAN, CYRENE, TEMPLE, (whose christian names are to your petitioner unknown) and a score of other agents or officers whose names are unknown.

(11) That prior to, during and after the infliction of the said "third degree" petitioner demanded to be taken to Kansas City where an indictment had been returned and in which jurisdiction petitioner was wanted; that after the aforesaid statements, oral and written, were extracted from the petitioner, the aforesaid agents or officers, promised to take the said petitioner and his

wife to Kansas City, Missouri, but stated that in order to do so, it would be necessary for petitioner and his wife to sign waivers of removal agreeing to waive formal and legal requirements and with dispatch to be taken to Kansas City, Missouri, from the said city of New Orleans; that before signing same petitioner inquired if after signing they, that is, he and his wife (for whom there was no indictment pending anywhere in the United States) would be taken immediately to Kansas City, Missouri, and the agents or officers replied in the affirmative, whereupon the said petitioner and his wife signed the said waivers of removal agreeing to be taken without due process of law to the jurisdiction of this court.

(12) That while the defendant petitioner was incarcerated and unlawfully and unauthorizedly detained in New Orleans, Louisiana, petitioner was not arraigned or taken before any United States Commissioner or United States Judge or Court, nor were proceedings of any nature instituted against petitioner in New Orleans, Louisiana.

(13) That subsequent to the signing of the said waivers of removal petitioner and his wife were taken to an airplane specially chartered by the aforesaid agents or officers in furtherance of the previous understanding that they were to be taken to Kansas City, Missouri and to be given over to the jurisdiction of this court, and flown, in said airplane, first to the city of St. Louis, Missouri and then to the city of Chicago, Illinois, and not to Kansas City, Missouri, all of which was virtually a kidnapping of this petitioner and his wife, and in violation and complete abandonment

of the agreement of petitioner with the said agents or officers, in violation and abandonment of the rights guaranteed to petitioner by the laws of the United States of America and by the Constitution of the United States and the Amendments thereto; that said agents or officers had no warrant for such conduct and that the petitioner was not wanted for any reason in the said city of Chicago, Illinois, nor were any proceedings instituted against him in said city, nor was he served with any warrant or process while held in said city.

(14) That petitioner was wilfully, unlawfully, knowingly and intentionally kidnapped to the city of Chicago, Illinois, for the declared purpose of either compelling him to make a confession against himself or for taking his life upon his refusal to so confess and for other unlawful and lawless purposes as will more fully appear hereafter and in the following paragraph;

(15) That upon arrival in Chicago, Illinois, the petitioner, with his wife, were secretly taken to the private offices of the Division of Investigation, Department of Justice, located on the nineteenth (19th) floor, of the Bankers Building where he was placed in a detention room and his wife in another; that they were carried to the nineteenth floor by an elevator in the rear of said building with an entrance from the alley thereof; that petitioner was held in said place for a period of twelve or thirteen days illegally, unlawfully and unauthorizedly and for the prevailing and obvious purpose of extracting statements from the petitioner, written

and oral, by the infliction of extreme mental and physical cruelty and by degenerately vicious and violent "third degree" torture;

(16) That while held in Chicago, Illinois, without any lawful warrant of law, or process of any kind, and under circumstances hereinafter set forth, there were extracted from petitioner two written statements and numerous oral statements and conversations, in the nature of confessions and declarations against interest of petitioner, which statements, written and oral, petitioner believes and is informed will be used against him upon the trial of this cause and which he seeks by this motion and petition to have suppressed; that said statements, written and oral, were extracted from the petitioner by the employment of extreme and tortuous "third degree" methods: that is to say, as follows:

- (a) Agent or officer said: "You are not in New Orleans now, you may never get to Kansas City. You are high up (19 floors) and you will not bounce when you hit the bottom. I'll use the necessary tactics to get the answers I want..I am not playing or fooling any longer, I mean business".
- (b) Agent or officer said to other agent or officer to leave room where petitioner was held, whereupon said agent laid hold of petitioner (said agent weighing approximately 200 pounds) and beat, assaulted, attacked, and punished him in a violent, brutal and inhuman manner, and pulled petitioner by the hair, beat him on the base of the skull and to a degree where everything went black before petitioner and the said agent or officer himself became exhausted from beating petitioner, in the course of which the petitioner's face was hit, causing his nose and mouth to bleed, and while in this condition the said agent plied petitioner with questions which he does not remember and answered the same because of his being in fear of his life, and

- 11 -

becoming alarmed that the said agents would, in fact, take his life as they had theretofore declared they would.

- (c) that thereupon the agent who had been sent from the room reappeared and brought with him the wife of the petitioner saying to said wife: "You'll be lucky if you ever see your husband again."
- (d) that shortly thereafter two other agents or officers compelled petitioner to come to window of 19th floor and asked him if he thought he would "ever get over a trip down there," pointing to the ground;
- (e) that shortly thereafter another agent or officer forcibly took defendant to another room on the same 19th floor, to the open window thereof and said this was the last time he intended wasting time, that nobody knew where petitioner was and that "if you are found dead in the back streets of Chicago, the same as others were found, that no one would ever make inquiries and they will think gangsters killed you. That is why we brought you to Chicago instead of to Kansas City. I have orders to get the store or else--"
- (f) that the last designated agent then called in two husky men, never before seen by petitioner, nor since, and whose names are unknown to petitioner though petitioner could easily identify them if presented in court, who had been waiting, and after warning petitioner he would "not be able to stand what they were going to do to him, that younger men had not been able to, and you won't either" proceeded to lay hold of petitioner and withdrew from their clothes instruments of torture, that is to say, rubber hose, the pieces of which were approximately two feet in length, and did then and there, strike, beat and assault petitioner in a violent, brutal and inhuman fashion, and also did kick petitioner in the ribs, knock him down, beat him on the face with fists, and while down to kick him and stamp upon him, gagging his mouth with towels and after this treatment had continued for some time the agent who had called the two men returned to the room and said: "That's enough" for the present", he having been outside the door of the said room where petitioner was thus punished;

- (g) that petitioner's condition was helpless and hopeless and that he was in great despair and extremely afraid for his life and the welfare of his wife from whom he had been forcibly separated for several days and concerning whom the said agents or officers would give petitioner no knowledge; that while in this agonized condition statements, written and oral were extracted from petitioner;
- (h) that while said statement was being taken the agent and officer making the said interrogations and recording the said answers would not truthfully and accurately record the answers petitioner was able to make and supplied the answers thereto, for the most part, himself and threatened petitioner to recall the same two men who had been there shortly before if petitioner did not sign the same; that at the time he signed same he told the said agent or officer that he was unable to think and act freely and intelligently understand and that the statement was not true, whereupon the said agent or officer said: "Sign them. If you don't I'll turn you over to those two men who are waiting and who have sworn to kill you anyway."
- (i) that the aforesaid are but a few of a large number of lawless acts of brutality practised upon the petitioner and done for the obvious and prevailing purpose of so compelling petitioner to utter or sign statements in the nature of confessions against himself.

(17) That after the foregoing physical and mental torture petitioner was kept under guard and held incommunicado in Chicago, Illinois, for the obvious purpose of recovering from the inflicted hurts and bruises before presenting the said petitioner to the authorities at Kansas City; that he was held for a period of time the exact length of which he does not know but estimates to be thirteen days, was given drugs to assuage his pain and allowed to rest after the statements were given and that during this time though he demanded the same, petitioner was denied right of bail and

denied counsel, denied the right to be taken before a United State Court, denied the right to be in custody of the Marshal of the United States and was denied every right and privilege of a citizen of the United States, all of which was in violation and complete abandonment of the laws of the United States of America, the Constitution of the United States, and the Amendments thereto; that the names of the agents or officers participating and committing the aforesaid violations are: DWIGHT BRANTLEY, SAM COWLEY, R. C. SURAN, S. R. McKEE, DAVID McKEE, and others whose names are unknown to petitioner but whom petitioner could recognize if presented in court, also one JONES, or MR. JONES, referred to as one of the two unknown men who beat petitioner with garden hose.

(18) That during all of this time and down to and including this day petitioner was sick and in mortal fear of his life being taken and this fear persists to this day and that during all of this period of time petitioner lost approximately thirty pounds.

(19) That thereafter and on or about the 9th day of October A.D. 1934 petitioner and his wife were removed by airplane to Kansas City, Missouri, and upon arrival in said city were taken secretly to the offices of the Division of Investigation, Department of Justice, and held there overnight and until a newspaper story was to be released from Washington; that petitioner inquired what story was to be released and received the

reply: "We are going to get everyone connected with this affair killed and we are going to circulate rumors that you have told us who was at the Station so they will put you on the spot", though petitioner had not and could not give this information to said Agents and had repeatedly told

them he did not know who was at the Kansas City Station on June 17, 1933; that thereafter and about the time said story appeared in the newspaper the petitioner was removed to the Jackson County Jail, at Kansas City.

(20) That while incarcerated in said Jackson County Jail orders were issued by persons in authority, and pursued by the jail authorities, to hold petitioner and his wife incommunicado; that petitioner was put in solitary confinement in said jail though he had committed no offense to warrant such action; that while in said jail from about the 10th day of October to and including the 29th day of October A.D. 1934 petitioner demanded but was denied right to and aid of counsel and that during all said time petitioner was afraid for his life and well-being;

(21) That during this period, as well as before, certain numerous oral statements were made by petitioner, while in his said frame of mind, to various agents and officers of the United States, or local officers acting for and on behalf of the United States, all of which, with other statements hereinbefore referred to petitioner seeks by this motion and petition to suppress and enjoin their use upon the trial hereof which petitioner is informed and believes will be done and, if done, will be in violation of petitioner's rights.

(22) That the four written statements and the numerous oral statements, herein referred to, were all in the nature of confessions and that the same are in the possession or knowledge of the United States Attorney for the Western District of Missouri, Western Division, or his assistants, or in the possession of the Department of Justice of the United States interested in the above entitled cause and in the prosecution thereof, and that they and each of them propose to use the same upon the trial of the above entitled cause in their written documentary and oral form and that to do so would be in violation and complete abandonment of petitioner's rights guaranteed to him by the Constitution of the United States and the Amendments thereto, as well as of the laws of the United States, unless the said United States Attorney, his assistants and the Division of Investigation, Department of Justice and all local officers acting in cooperation with and on behalf of the United States, are prohibited and enjoined from offering the same in evidence and testifying concerning the same.

(23) That all of the evidence sought to be suppressed by this motion and petition was obtained and secured by the persons hereinbefore referred to, in the manner hereinbefore set forth, in violation and complete abandonment of the rights guaranteed to petitioner, as follows:

- (a) General law requiring persons arrested for and on behalf of the United States to be safely and harmlessly held for trial;
- (b) Constitution of the United States.
- (c) Amendment IV to the Constitution of the United States, giving to the people of the United States the right to be secure in their persons against unreasonable searches and seizures;
- (d) Amendment V to the Constitution of the United States, providing: "Nor shall any person...nor shall he be compelled in any criminal case to be a witness against himself", be deprived of...liberty without due process of law.
- (e) Amendment VI to the Constitution of the United States providing: "In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the state and district wherein the crime shall have been committed...to be confronted with the witnesses against him...and to have the assistance of counsel for his defense";
- (f) Amendment VIII to the Constitution of the United States, providing: Excessive bail shall not be required...nor cruel and unusual punishment inflicted";
- (g) Title 18, United States Code Annotated, Section 595: requiring defendant to be taken before the nearest United States Commissioner for hearing, commitment, or taking bail for trial;
- (h) Title 18, United States Code Annotated, Section 596: requiring admission of defendant to bail;
- (i) Title 5, Section 300, of the United States Code Annotated, defining and limiting the rights and authority of the officers or agents of the Division of Investigation, Department of Justice to: "detection and prosecution of crimes against the United States" and indicating that the said officers or agents have no authority to detain prisoners with or without warrant.

(24) WHEREFORE, THIS PETITIONER PRAYS, that the United States Attorney for the Western District of Missouri, his assistants and agents, the agents or officers from the Division of Investigation, Department of Justice, and all local officers acting in cooperation with the United States who have possession of said written statements, or who were present or participated in the oral conversations referred to in this motion and petition, and any one else, not specifically referred to but who should be enjoined and restrained, be prohibited and enjoined from offering the same in evidence, or testifying regarding the same and that all such evidence be suppressed for reasons and causes set forth.

(Signed) Richard Tallman Galatas

STATE OF MISSOURI)
COUNTY OF JACKSON) ss

RICHARD TALLMAN GALATAS, being first duly sworn on oath deposes and says that the above and foregoing motion and petition to suppress has been read by him and that the averments and statements therein contained are true to the best of his knowledge and belief.

(Signed) Richard Tallman Galatas

Subscribed and sworn to before me
this 24th day of December, 1934.

Chas. B. Shanlin Notary public. Com. Expires Nov. 6, 1934.

IN THE DISTRICT COURT OF THE UNITED STATES
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA

Plaintiff

vs.

RICHARD TALLMAN GALATAS, alias
Dick Galadis, alias Pritchard
Sheridan,
HERBERT ALLEN PARTER, alias
Herbert Black, alias H. A.
Patton, alias W. H. Williams.
ESTHER PARTER,
FRANCIS NASH, alias Frances
Miller, alias Frances Harrison,
FRANK B. MALLOY, alias Fritz
Malloy,
LOUIS STACCI, alias Doc Stacey,
ELIZABETH GALATAS, alias Betty
McFadden, alias Mrs. Glenn
Morris,
VIVIAN MATHIS, alias Vivian Page,
alias Clara Hays,

Defendants

No. 12,698

MOTION AND PETITION OF ELIZABETH GALATAS, DEFENDANT,
TO SUPPRESS EVIDENCE ILLEGALLY OBTAINED AND INTENDED
TO BE USED UPON THE TRIAL OF THE ABOVE ENTITLED CAUSE.

AND NOW COMES ELIZABETH GALATAS, one of the defendants in the above
entitled cause, in her own proper person, and moves and petitions this
honorable court to suppress certain evidence, of an oral and written
nature, illegally and lawlessly obtained, that is to say, in violation
and complete abandonment of the laws of the United States of America and
the amendments thereto, and in violation of the laws of the United States

COPIES DESTROYED

11 AUG 21 1964

of America, which said evidence, of an oral and written nature, this defendant is informed and sincerely believes will be used against her on the trial of the above entitled cause, and in support of said motion and petition, says and shows as follows:

- (1) that she is a citizen of the United States of America;
- (2) that the evidence, oral and written, which she seeks to have suppressed was illegally and lawlessly obtained, by the persons and in a manner hereinafter to be described, from a period beginning with the 22nd day of September A. D. 1934 and to and including the 26th day of October A.D. 1934;

(3) that on the 22nd day of September A. D. 1934 she lived with her husband, RICHARD TALIMAN GALATAS, in the city of New Orleans, Louisiana, and worked for her husband as secretary and bookkeeper in the office of the said husband, the said husband operating a sales agency for the LIQUID COLOPHANE COMPANY of Seattle, Washington.

(4) that while she was lawfully pursuing her said business, on the 22nd day of September A. D. 1934, at New Orleans, Louisiana, in the office of her husband, she was unlawfully, illegally and unauthorizedly arrested, by several agents or officers in the employ of the Division of Investigation, Department of Justice of the United States, the names of the said agents or officers being: DAVID MCKEE, and an officer or agent by the name of BLAKE (whose christian name is to your petitioner unknown); that at the time of said arrest the said agents or officers had no legal warrant or authority for the arrest of your petitioner, or if they had one, such fact was not brought to the atten-

tion of petitioner or shown to her, and that in fact, there was no warrant or process of any kind or nature against her anywhere in the United States of America.

9 (5) that after her said unlawful arrest, petitioner and her husband were removed by the said agents or officers from their place of business to the offices of the Division of Investigation, Department of Justice on the day of her said unlawful arrest.

(6) that at the said time and place for the purpose of securing a confession from the petitioner and her husband the aforementioned agent or officer BLAKE (whose christian name is to petitioner unknown) in the presence of petitioner, after said unlawful and unauthorized arrest, threatened and intimidated petitioner's husband by saying to him in a threatening and menacing manner: "You are lucky I did not kill you as I promised my cousin (F. J. LACKY, also an employe, agent or officer of the Division of Investigation, Department of Justice, who was wounded in the "Kansas City Massacre") I would kill you on sight," by reason of which threat and intimidation petitioner became and was mortally afraid for her life and for the life of her husband.

(7) that thereafter petitioner and her husband were unlawfully, unauthorizedly, lawlessly and clandestinely taken to the private apartment of the aforesaid agent, DAVID MCGEE, from the Division of Investigation, Department of Justice, which said private apartment was located in an apartment building known as the MAYFAIR APARTMENTS; that this was done for the prevailing and obvious purpose of securing a confession or statement in the nature of a confession from the petitioner; that the said

removal to the said private apartment of the said agent was done for the declared purpose of letting no one know the whereabouts of petitioner and was done without the consent of the petitioner.

(8) that at the time of arrest said agents or officers had drawn guns on petitioner and pointed same at petitioner and instructed petitioner not to move and to offer no resistance and that petitioner had offered no resistance and is by nature a peaceable woman.

(9) that thereafter, that is to say, after the said illegal and lawless arrest and during a period beginning with the 22nd day of September

A.D. 1934 and for five days thereafter, one written statement in the

nature of a confession and certain numerous oral statements and conversations in the nature of confessions were obtained and extracted from

petitioner while incarcerated in the said private apartment of the said agent or officer aforesaid by the infliction of extreme mental and physical cruelty and by degenerately vicious and violent "third degree" torture described as follows:

- (a) for a period of five days petitioner was denied sleep and rest;
- (b) given no food the first day of her arrest and an insufficient amount thereafter;
- (c) for five days petitioner was not permitted to remove her clothing;
- (d) agents or officers would go after and purchase food and eat same in presence of petitioner but would neither offer nor give petitioner any;
- (e) curtains were drawn in said private apartment all day and night and no one was allowed to know or learn the whereabouts of petitioner so that she might avail herself of the right of bail or counsel;
- (f) petitioner at point of loaded revolvers was compelled to sit still and not move or arise for five days;

- (g) heard said agents or officers and others to be named hereafter threaten her husband with death;
- (h) saw her husband mistreated and abused in her presence and suffer from the lack of food, rest and mental torture;
- (i) mercilessly, questioned, grilled and interrogated petitioner for long, continuous hours during period petitioner was starved, fatigued and worried to the point of distraction and anguish concerning the safety of her husband and self; and further, grilled petitioner after removing husband from said private apartment and taking him away and refusing to state where he was being taken; and, further, that he was taken away late at night and kept away until daybreak.
- (j) denied bail,
- (k) told she was being held without charge and for the sole purpose of not disclosing to anyone the whereabouts of her husband so he might avail himself of counsel and bail
- (l) denied right to be taken promptly before a United States Commissioner or Court, and denied right to be taken to and put in custody of United States Marshal and denied right to be lodged in formal place of detention for prisoners of the United States;
- (m) denied counsel;

and that all of the above and foregoing were but a few of the many acts of misconduct on the part of the said agents or officers which were in violation of law and in complete abandonment of the rights of the petitioner and done in furtherance of a desire and scheme on the part of the said agents or officers to make oral and written statements in the nature of confessions against herself and against her interest, which said oral and written statement, after being so unlawfully and lawlessly taken, petitioner believes will be used against her upon the trial of the above entitled cause in violation of petitioner's rights guaranteed to her by the laws of the United States of America, and by the Constitution of the United States and the Amendments thereto.

(10) that the names of the said agents or officers participating

in all of the aforesaid unlawful and lawless practices are: DAVID McGEER, DWIGHT BRANTLEY, HAROLD E. ANDERSON, and agents or officers BLAKE, ROSEN, PICKETT, KIRDELL, KINGMAN, CYRUS, TEMPLE, (whose christian names are to your petitioner unknown) and one "BUTCH" whose real name is unknown to petitioner and several others whose names are unknown to petitioner.

(11) That prior to, during and after the infliction of the said "third degree" petitioner demanded to be taken to Kansas City, Missouri, or released from said unlawful custody; that after the aforesaid statements, oral and written, were extracted from petitioner, the aforesaid agents or officers, promised to take petitioner and her husband to Kansas City, Missouri, but stated in order to do so it would be necessary for petitioner and her husband to sign waivers of removal, thereby agreeing to waive formal and legal requirements and with dispatch to be taken to Kansas City, Missouri; that before signing same petitioner inquired if after signing, she and her husband would be immediately taken to Kansas City, Missouri and the said agents or officers replied in the affirmative, whereupon petitioner and her husband signed the said waivers of removal agreeing to be taken without due process of law to the jurisdiction of this court.

(12) that while the said petitioner was incarcerated and unlawfully and unauthorizedly detained in New Orleans, Louisiana, she was not arraigned or taken before any United States Commissioner, or United States Judge, nor were proceedings of any nature instituted against her in New Orleans or elsewhere.

(13) that subsequent to the signing of the said waiver petitioner and her husband were taken to an airplane specially chartered by the aforesaid agents or officers in furtherance of the previous understanding and agreement, and pursuant to the terms of the said waiver of removal, that they were to be taken to Kansas City, Missouri, but were in fact flown, in said airplane, first to the city of St. Louis, Missouri, and then to the city of Chicago, Illinois, and not to Kansas City, Missouri, all of which was virtually a kidnapping of this petitioner and her husband, and in complete violation and abandonment of the agreement of petitioner with the said agents or officers, in violation and abandonment of their promise and word, and in utter violation and abandonment of the rights guaranteed to petitioner by the laws of the United States of America and by the Constitution of the United States and the Amendments thereto; that said agents or officers had no warrant or process, or authority for such conduct and that the petitioner was not wanted for any reason in the said city of Chicago, Illinois nor were any proceedings instituted against her in said city, nor was she served with any process or warrant while held in said city;

(14) that petitioner was wilfully, unlawfully, knowingly and intentionally kidnapped to the City of Chicago, Illinois for the declared purpose of being witness to certain "third degree" torture inflicted upon her husband and herself subjected and inflicted with "Third degree" torture so that she would be compelled to make and utter statements against herself and respond to the desires of the said agents or officers

to tell them "what we want to know".

(15) that upon arrival in Chicago, Illinois, the petitioner, and her husband, were secretly taken to the private offices of the Division of Investigation, Department of Justice, located on the nineteenth (19th) floor of the Bankers Building where she was placed in one detention room and her husband in another; that they were taken to the said nineteenth (19th) floor through the rear alley entrance of said building; that petitioner was held in said place for a period of twelve or thirteen days illegally, unlawfully and unauthorizedly, as well as lawlessly, for the prevailing and obvious purpose of extracting and compelling statements from the petitioner, written and oral, by the infliction of extreme mental and physical cruelty and by degenerately vicious and violent "third degree" torture.

(16) that while held in Chicago, Illinois, without any warrant of law, or process of any kind, and under circumstances hereinafter set forth, there were extracted from petitioner, one written statement and numerous oral statements and conversations, in the nature of confessions and declarations against interest of petitioner, which statements, written and oral, petitioner believes and is informed will be used against her upon the trial of this cause and which she seeks by this motion and petition to have suppressed; that said statements, written and oral, were extracted from the petitioner by the employment of extreme and tortuous "third degree" methods, that is to say, as follows:

(a) petitioner was separated from her husband;

- (b) petitioner was mortally afraid agents or officers were going to execute their threat to kill her husband;
- (c) Agents or officers told her she was lying and that "if you don't tell me the truth you are going to be sorry"; "We have got what it takes"; that agent or officer doing most of threatening and intimidating was at least 200 pounds in weight;
- (d) heard her husband screaming during beatings being administered to him until they gagged him so he couldn't scream any more;
- (e) taunted petitioner with question: "Does Dick (her husband) mean anything to you";
- (f) Agents or officers took her into office, pulled curtains and started to "work" on petitioner as follows: petitioner's hands were twisted, also arms, hands laid flat and beaten violently, and wrists bent back and during which agents or officers said: "We are going to break both your arms"; agents or officers left room telling petitioner they would give her a few minutes to think things over; later, an agent or officer reappeared and withdrew a rubber hose from beneath his coat and told her he would whip her with it and put her in bed for three weeks if she did not make a statement; that during this time petitioner could neither eat nor sleep because of her plighted condition; that later agents or officers reappeared and told petitioner she would not be able to stand what they were about to do to her; that they inquired how her hands were, inquired how her arms were; that thereupon agent or officer laid hold of petitioner and punished petitioner by rubbing knuckles in a violent and brutal manner over her hands, twisted her arms which petitioner begged him not to do because of their sore, painful and swollen condition; that agent or officer then said: "I told you this afternoon I was going to whip you and I am going to do it unless--"; that later a stenographer was brought into the room and a statement taken;
- (g) Agents or officers took petitioner to see her husband in a bleeding, stricken and agonizing condition;
- (h) Agents or officers said to petitioner: "If you don't tell the truth you might never see your husband alive again";
- (i) That during this period petitioner lost 13 pounds;
- (j) Agents or officers laid hold of petitioner and pressed heavily upon her shoulders and pressed violently along her spine until the pain was unbearable and terrific;
- (k) held incommunicado;
- (l) denied right to counsel;

- (m) failed to charge petitioner with a crime against the United States of America;
- (n) failed and denied petitioner right to be taken before a United States Commissioner or Court, and denied petitioner right to be placed in custody of United States Marshal;

and that all of the above and foregoing were but a few of the many lawless acts on the part of the said agents or officers which were in violation of law and in complete abandonment of the rights of petitioner and committed in furtherance of a desire and scheme of the part of the said agents or officers to extract from and compel petitioner to make oral and written statements against herself and her interest, which said oral and written statements, petitioner is informed and believes will be used against her upon the trial of the above entitled cause, in violation of petitioner's rights as guaranteed to her by the laws of the United States of America and by the Constitution of the United States and the Amendments thereto.

(17) That after the infliction of the foregoing mental and physical torture petitioner was kept under guard and held incommunicado in the said private offices of the Division of Investigation, Department of Justice, on the said 19th floor of the Bankers Building, the same not being a legal place of detention for United States prisoners, for the obvious purpose of allowing time for petitioner's wounds to heal before presenting petitioner to the authorities in Kansas City, Missouri; that during this period petitioner was offered liniment to relieve the pain caused by the aforesaid lawless acts which petitioner was told was available for purposes of this kind; after which petitioner was allowed to rest;

that the duration of illegal custody in Chicago, Illinois was approximately 13 days during which time petitioner was denied every conceivable right guaranteed to the people of the United States by the laws of the United States and by the Constitution of the United States and the Amendments thereto.

(18) that the names of the agents or officers committing the aforesaid violations and participating in the extraction of the aforesaid statements of a written and oral nature are: DWIGHT BRANTLEY, R. C. SIMAN, S. R. MOORE, SAM COLEMAN, CHARLES WINSTON, and WILLIAM RYAN and others;.

(19) that during all this time and down to and including this day petitioner became sick and in fear of the lives of her husband and herself being taken;

(20) that thereafter, that is to say, after the wounds and bruises of her husband and petitioner were given an opportunity to heal, petitioner and her husband were removed by airplane to the jurisdiction of this court and upon arrival in Kansas City were taken secretly to the private offices of the Division of Investigation, Department of Justice, and held there over night until a newspaper story was to be released from Washington; that inquiry was made why petitioner and her husband were being detained in private quarters and were advised to the above effect; that inquiry was thereupon made what newspaper story was to be released from Washington and petitioner and her husband were informed: "We are going to get everyone connected with this affair killed. We are going to circulate rumors that you have told us who was at the Station

so they will put you on the spot", though petitioner had not and could not give said agents or officers the said information and had therefore repeatedly told said agents she and her husband did not know who the persons were at the Station on June 17, 1933; that simultaneously with the appearance of the said story in the newspapers petitioner and her husband were removed to the Jackson County Jail, Kansas City, Missouri.

(21) that during this period, as well as before and down to and including the 26th day of October, A.D. 1934 certain numerous oral statements were made by petitioner while she was in the frame of mind heretofore described, to various agents or officers of the United States, or local officers acting for or on behalf of the United States, all of which, with other statements hereinbefore referred to, petitioner seeks by this motion and petition to suppress and enjoin against their use upon the trial hereof, which, if not enjoined and suppressed will be in violation of the rights of the petitioner as guaranteed to her.

(22) that the two written statements and the numerous oral statements and conversations, herein referred to, were all in the nature of statements against interest and in the nature of confessions and that the same are in the possession or knowledge of the United States Attorney for the Western District of Missouri, Western Division, and his assistants, or in the possession of the Department of Justice of the United States which is interested in the above entitled cause and the prosecution thereof, and that they and each of them propose, as petitioner believes, to use the same upon the trial of the above entitled cause, in their written and

oral form, and that to do so would be in violation of and complete abandonment of petitioner's rights guaranteed to her by the laws of the United States of America and by the Constitution of the United States and the Amendments thereto, unless the said United States Attorney, his assistants and the Department of Justice, and all local officers acting in cooperation with and on behalf of the United States are prohibited and enjoined from offering the same in evidence and testifying concerning the same.

(24) that all of the evidence sought to be suppressed by this motion and petition were obtained and secured by the persons herein before referred to, in the manner hereinbefore set forth, in violation and complete abandonment of petitioner's rights, as follows:

- (a) General law requiring persons arrested for and on behalf of the United States to be safely and harmlessly held for trial;
- (b) Constitution of the United States;
- (c) Amendment IV to the Constitution of the United States, giving to the people of the United States the right to be secure in their persons against unreasonable searches and seizures;
- (d) Amendment V to the Constitution of the United States, providing: "Nor shall any person in a criminal case be compelled to be a witness against himself.... be deprived of.... liberty without due process of law";
- (e) Amendment VI to the Constitution of the United States providing: "In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the state and district wherein the crime shall have been committed..to be confronted with the witnesses against him.. and to have the assistance of counsel for his defense";
- (f) Amendment VIII to the Constitution of the United States, providing: "Excessive bail shall not be required.. nor cruel and unusual punishment inflicted";
- (g) Title 18, United States Code Annotated, Section 595; requiring defendant to be brought before the nearest

United States Commissioner for hearing, commitment, or taking bail for trial;

(2) Title 18, United States Code Annotated, Section 596; requiring admission of defendant to bail;

(1) Title 5, United States Code Annotated, Section 306; defining and limiting the rights and authority of the officers or agents of the Division of Investigation Department of Justice, to: "detection and prosecution of crimes against the United States" and indicating that the said officers or agents have no authority to detain prisoners with or without warrant.

(25) WHEREFORE, THIS PETITIONER MOVES AND PRAYS that the United States Attorney for the Western District of Missouri, Western Division, his assistants and agents, the agents or officers of the Division of Investigation, Department of Justice, and all local officers acting in cooperation with or on behalf of the United States who have possession of said written instruments, or who were present or participated in the numerous oral conversations and statements referred to herein, and any one else, not specifically referred to but who should be enjoined and restrained, be prohibited and enjoined from offering the same in evidence, or testifying regarding the same and that all such evidence be suppressed for reasons and causes herein set forth.

/s/ Elizabeth Galatas

STATE OF MISSOURI)

SS

JACKSON COUNTY)

ELIZABETH GALATAS, being first duly sworn on oath deposes and says that the above and foregoing motion and petition to suppress has been read by her and subscribed by her and that averments and statements therein contained are true to the best of her knowledge and belief.

/s/ Elizabeth Galatas

Subscribed and sworn to before me
this 26th day of December A.D. 1934.

Dorothy Breit
Notary Public.

(SEAL) My commission expires Nov. 16, 1936.

Agent Spear interviewed Howard Mc Outcheon, Contractor and Builder; Russell E. Greiner, Lithographer; Ward C. Gifford, Realtor, and Leslie J. Lyons, Attorney; all of these men being prominent citizens of Kansas City, Missouri, and having a wide acquaintance in that city.

Special Agent A. F. Miller interviewed Mr. Homer Paris, a well known printer in Kansas City, who has a wide acquaintance.

Through the records of the National Youth Movement of Kansas City, Missouri, Agent Spear, with the cooperation of Mr. Sam Parker, an attorney, who is Chairman of the Legal Committee of that Movement, obtained the information set out hereinafter from the poll records of that Movement as to the political affiliation of the various members comprising the Petit Jury Panel; this information having been obtained prior to the last city election at Kansas City, Mo., at the time workers of the National Youth Movement made a poll of the entire city. The source of the various other information obtained is set out in each instance.

For the purpose of convenience to the United States Attorney at Kansas City, Missouri, the members of the panel are being designated by the same number as they are designated on the list submitted by the United States District Court in subpoenaing them.

.....

From
ASSISTANT ATTORNEY GENERAL KEENAN
To

OFFICIAL INDICATED BELOW BY CHECK MARK

Mr. Nathan	.....
Mr. Tolson	.....
Mr. Clegg	.....
Mr. Baughman	.....
Chief Clerk	.....
Coffey	.....
Mr. Edwards	.....
Mr. Egan	.....
Mr. Harbo	.....
Mr. Keith	.....
Mr. Lester	.....
Mr. Quinn	.....
Mr. Schilder	.....
Mr. Tamm	.....
Mr. Tracy	.....

MEMORANDUM

Re:
U.S. v. Galatis

The Attorney General	.....
The Solicitor General	.....
Assistant to Attorney General Stanley	.....
Assistant Attorney General Wideman	.....
Assistant Attorney General Stephens	.....
Assistant Attorney General Sweeney	.....
Assistant Solicitor General MacLean	.....
Assistant Attorney General Blair	.....
Mr. Stewart	.....
Mr. Hoover, Director, Division of Investigation	.....
Mr. Bates, Director, Bureau of Prisons	.....
Division of Accounts	.....
Chief Clerk	.....
Appointment Clerk	.....
Records Division	.....
Mr. Finch, Pardon Attorney	.....
Mr. Parrish	.....
Mr. Ridgely	.....
Mr. Kiefer	.....
Mr. Ramsey	.....
Mr. Fisher	.....
Mr. Butler	.....
Mr. Preston	.....
Mr. Fort	.....
Mr. Jones	.....
Mr. Dean	.....
Mr. Gottshall	.....
Mr. Woll	.....
Mr. McGuire	.....
Mr. J. H. Smith	.....
Miss Brookley	.....
Miss Broomhead	.....

RECORDED

62-29915-3420
DIVISION OF INVESTIGATION
JAN 2 1935 A.M.
U.S. DEPT. OF JUSTICE
TAMM ONE FILE

JAN 15 1935

Kansas City 12/29/34 RE 11

REM:RB

RECORDED & INDEXED

December 29, 1934

62-27715-3420
Special Agent in Charge,
Kansas City, Missouri.

Re: VERNON C. MILLER with aliases, (Deceased);
RICHARD TALLMAN GALATAE, with aliases, et al;
CONSPIRACY TO DELIVER A FEDERAL PRISONER.

Dear Sir:

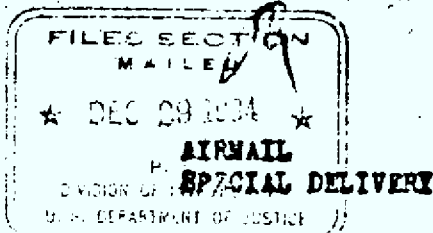
There are transmitted herewith copies of a memorandum dated December 26, 1934 prepared by Mr. George P. Jones, Special Assistant to the Attorney General for Mr. Parrish of the Criminal Division of the Department, relative to the question of admissibility in evidence in the State Court, a plea of guilty previously entered in a United States District Court to an indictment concerning the same subject matter material to the charges pending in the State Courts. The opinion of the Criminal Division was requested by the Division for the reason that it was intimated by several of the defendants in the above entitled case, that a plea of guilty would be entered by them to the charges pending against them in the United States District Court in the event their plea could not be used in a later trial in State Court.

It is observed that the enclosed memorandum indicates that the pleas can be introduced in evidence against the defendants.

Very truly yours,

John Edgar Hoover,
Director.

Enclosure 831597



2 yel

C-1

COPY

GPJ:AM

DEPARTMENT OF JUSTICE
Washington, D. C.
December 26, 1934.

MEMORANDUM FOR MR. PARRISH

Re: United States v. Galatis, et al.

Reference is made to the letter of Mr. Hoover, Director of the Division of Investigation, dated December 17, 1934, wherein he advises that in the case of United States v. Richard Tallman Galatis, et al., in which the defendants are charged with conspiracy to deliver a Federal prisoner, there is a possibility that the defendants will plead guilty but that the question has been raised as to the effect of such a plea on a subsequent proceeding in the state court, (Missouri) on a charge of murder. Mr. Hoover inquires whether a plea of guilty in the United States Court in the case above referred to will be admissible in evidence against the defendants in the prosecution in the state court under the circumstances. In my opinion the answer to Mr. Hoover's question is "yes".

In the absence of statutory regulation on the subject testimony and written statements given voluntarily or made by a party, or a witness, in a judicial proceeding, are, as admissions competent against him on the trial of any issue in a criminal case to which they are pertinent.

16 Corpus Juris 629.

A plea of guilty to a prior offense where the plea in effect admits certain facts which are relevant and material is admissible against the defendant in a subsequent case.

16 Corpus Juris 630

Ehrlick v. Comm. 125 Ky. 742

State v. Ayres 115 Mass. 137

Comm. v. Hazeltone 108 Mass. 479

Mexico v. Harris 115 Mo. A. 707

State v. Hermanson 22 N. Dak. 125

Beason v. State 67 S. W. (Tex.) 96

Johnson v. State 39 Tex. Crim. 625.

COPIES DESTROYED

11 AUG 21 1964

RECORDED

JAN 15 1935

62-28915-3420
DIVISION OF INVESTIGATION
JAN 2 1935 A.M.
TAMM ONE

In Ehrlick v. Commonwealth, supra, the defendant pleaded guilty several times to violations of a city ordinance against the operation of a poolroom. Later, on trial under a state law charging him with maintaining a nuisance, by the operation of the poolroom, the prosecution offered and proved the pleas of guilty made by the defendant in the police court under the city ordinance. On appeal it was held that the evidence of the pleas of guilty were admissible.

In Mexico v. Harris, supra (Missouri case) the defendant pleaded guilty before a police judge to gambling with cards and was later prosecuted in the state court for setting up and maintaining a gambling outfit. The court held the plea in police court was admissible in the prosecution for maintaining a gambling place.

In State v. Hermanson, supra, the defendant was convicted for maintaining a common nuisance by the operation of a place where intoxicating liquors were sold as a beverage under a law in North Dakota that declared such places to be nuisances. On the trial evidence was admitted on the judgment of conviction entered in the magistrate court in the city of Minot, North Dakota, where the defendant pleaded guilty and paid a fine in two instances covering the same period charged in the prosecution of the state court. The court held that the evidence showing that the defendant had entered pleas of guilty under the city ordinances was admissible and stated:

"Had the defendant in some place other than a court made the same statements as he did by the plea of guilty declaring his guilt of selling intoxicating liquor within the city of Minot on August 24, 1909 and August 28, 1909, no one would seriously question its admissibility on this trial on the information charging him with then maintaining this common nuisance during the month of August, 1909."

In Beason v. State, supra, the defendant was charged by indictment with burglarizing a house with intent to commit a theft of certain corn therein. Previously the defendant had entered a plea of guilty to the theft of corn and a judgment entered against him assessing a fine of \$25 and ten days imprisonment. Upon the trial the state introduced the complaint and information and the judgment upon his plea of guilty

in the theft case. The court held "this evidence was admissible."

In *Johnson v. State*, *supra*, the defendant pleaded guilty in a county court to theft and was later prosecuted for burglary growing out of the same transaction. It was held that the theft was a part of the same transaction constituting burglary and the plea of guilty of the defendant thereto was admissible.

From these holdings and others that might be cited, it seems to be well established that a plea of guilty of another offense where the plea in effect admits certain facts which are relevant and material is admissible and it is my opinion that if the defendants in the case under consideration enter a plea of guilty to the charge of conspiracy to deliver a Federal prisoner such pleas will be admissible against the defendants or any of them in a trial in the state court involving the same transaction.

However, it has occurred to me that the difficulty confronted may be obviated by a plea of nolo contendere.

A plea of nolo contendere to another offense may not be received against the accused as an admission.

16 Corpus Juris 631
State v. LaRose 71 N. H. 435

In *State v. LaRose*, *supra*, upon the trial of an indictment for the illegal sale of liquor the defendant's plea of nolo contendere to a complaint charging the same offense, at the same place, on an earlier date was admitted as evidence against him. Upon appeal the Supreme Court reversed the lower court and in the opinion quoted with approval the language of *Commonwealth v. Tilton*, 8 Met. 232, wherein it is said respecting the plea of nolo contendere,

"This plea, like a demurrer, admits for the purposes of the case all the facts which are well stated, but is not to be used as an admission elsewhere."

The court further stated:

"The plea of nolo can be sustained as evidence in this case only upon the ground that there was an unlimited admission of the facts charged in the indictment. * * * such is not the effect or meaning of the plea * * *. The

While there has been some contention that under a plea of nolo contendere a prison sentence could not be imposed, it is now well settled that after accepting a plea of nolo contendere to an indictment charging an offense punishable by imprisonment or fine or both the court may impose a prison sentence.

Comm. v. Horton, 9 Pick. (Mass.) 206
Comm. v. Tilton, 8 Metcalf (Mass.) 232
State v. Siddall, 103 Maine 144
State v. O'Brien, 18 R. I. 105
State v. Fagan, 64 N. H. 431
United States v. Hartwell, 26 Fed. cas. 201
Gemignani v. United States, 9 Fed. (2) 384
United States v. Lair, 195 Fed. 47
Comm. v. Holstine, 132 Pa. 357
Hudson et al. v. United States, 272 U. S. 451.

In Hudson et al. v. United States, supra, the defendants were indicted for using the mails to defraud. On pleas of nolo contendere they were sentenced to imprisonment for one year and a day. On appeal to the Supreme Court the sole question raised was whether the United States Court after accepting a plea of nolo contendere may impose a prison sentence. The Supreme Court sustained the sentences and stated:

"Undoubtedly a court may, in its discretion, mitigate the punishment on a plea of nolo contendere and feel constrained to do so whenever the plea is accepted with the understanding the only a fine is to be imposed. But such a restriction made mandatory upon the court by positive rule of law would only hamper its discretion and curtail the utility of the plea."

Conclusions:

I am therefore of the opinion that the plea of guilty of the defendants in the United States court would be admissible against them in the state court in subsequent proceedings; however, I am also of the opinion that under a plea of nolo contendere the defendants may be sentenced the same as if they entered a plea of guilty but that the plea of nolo contendere cannot be used against them on a subsequent trial.

Respectfully submitted,

/s/ GEO. P. JONES,
Special Assistant to the Attorney General.